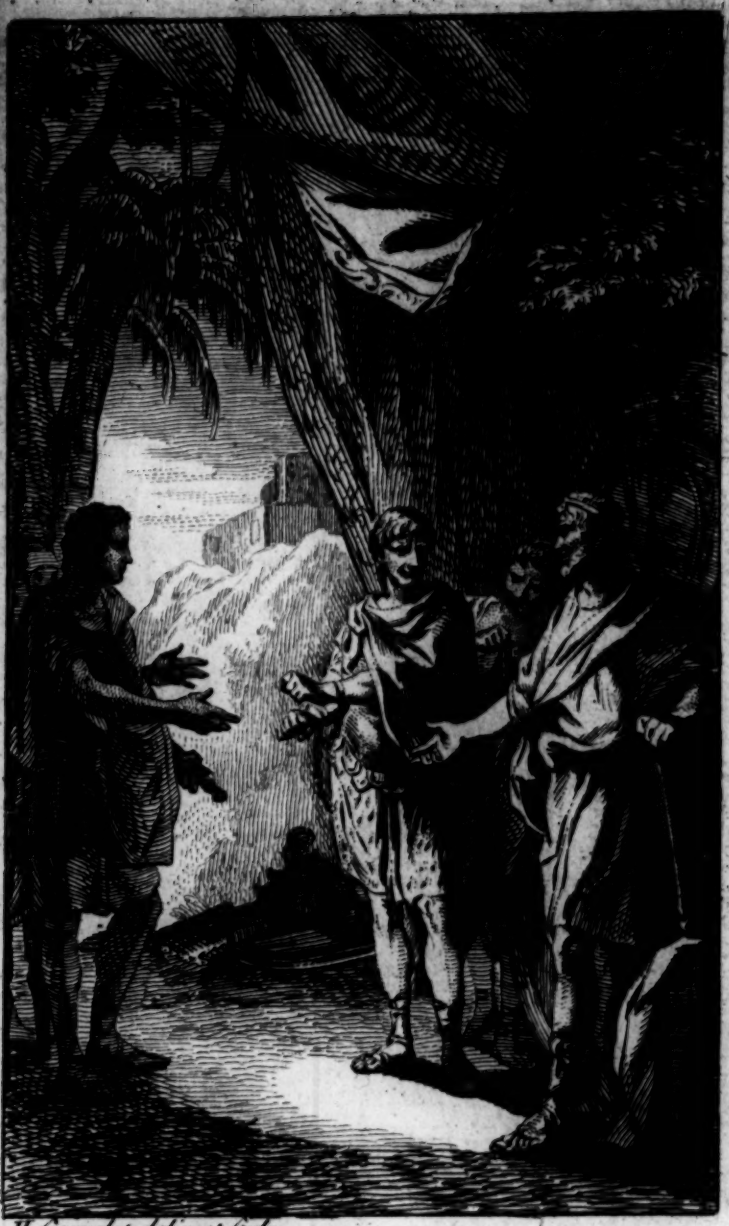
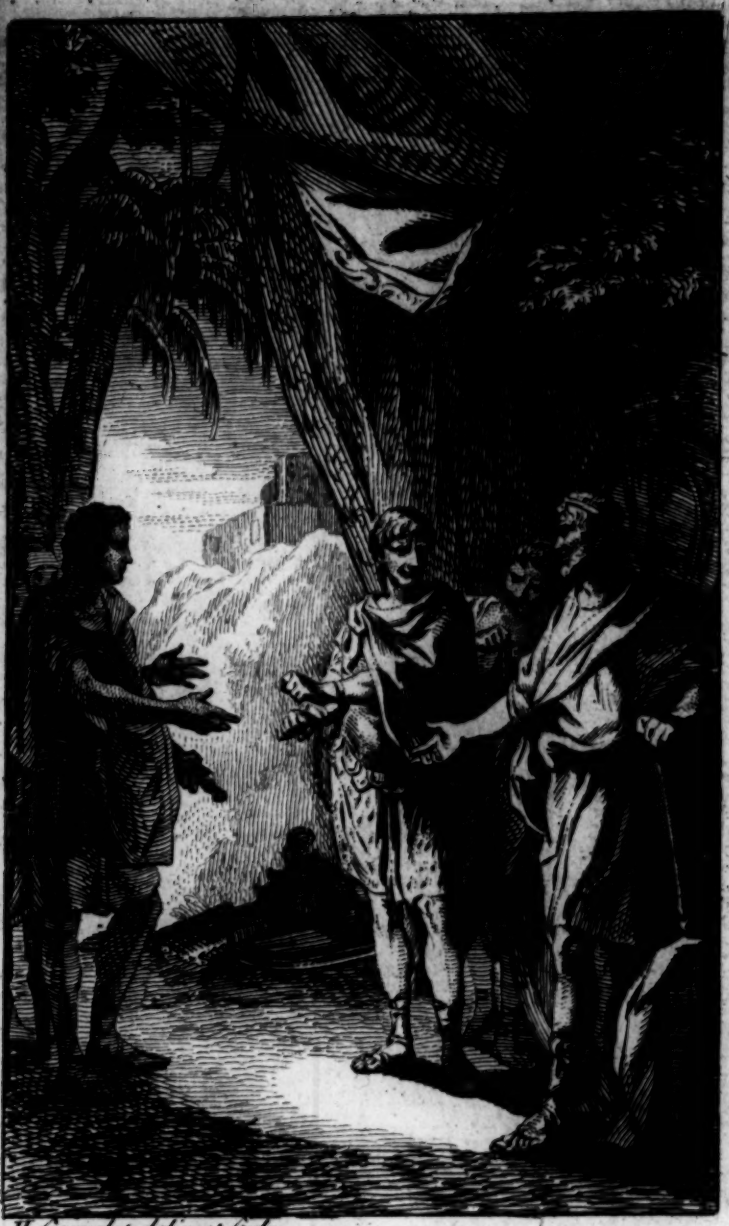


H. Gravelot delin. et sculp.

BOCCHUS delivering JUGURTHA into the Hands of SYLLA.

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THE

ROMAN HISTORY

FROM THE

FOUNDATION of ROME

TO THE

BATTLE of ACTIUM:

THAT IS,

To the END of the COMMONWEALTH.

By Mr. CREVIER,
Professor of RHETORICK in the College of BEAUVAIS,
Being the CONTINUATION of Mr. ROLLIN's Work.

Translated from the FRENCH.

VOL. VI.

THE THIRD EDITION.
ILLUSTRATED WITH MAPS AND COPPER-PLATES.

LONDON,
Printed for J. RIVINGTON, R. BALDWIN, HAWES CLARKE and COLLINS, R. HORSFIELD, W. JOHNSTON, W. OWEN, T. CASLON, S. CROWDER, B. LAW, Z. STUART, ROBINSON and ROBERTS, and NEWBERY and CARNAN.
MDCCLXVIII.


BRITISH MUSEUM

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Vio-

Violence of Druſus againſt Cæpio and Philippus. The laws paſs. A new law of Druſus to divide the adminiſtration of juſtice between the Senators and Knights. Perplexity of Druſus, who cannot keep his promiſe with the allies. Inflexible conſtancy of Cato whilſt only an infant. Proceedings of the allies. Saying of Philippus injurious to the Senate. Conteſt on that head between Craſſus and Philippus. Death of Craſſus. Cicero's reflexion on his death. Death of Druſus. His character. All his laws are annulled. Law paſſed by Varius for informing againſt thoſe, who had favoured the allies. Cotta accuſed, goes into voluntary baniſhment. Scaurus extricates himſelf out of danger by his conſtancy and haughtineſs. Varius himſelf, condemned by his own law, periſhes miſerably. The allies prepare for a revolt. They form themſelves into a republick. Maſſacre at Aſculum. Open revolt of the ſtates of Italy. Embaſſy of the allies to the Romans, before they enter into the war. They have the advantage at firſt. Unjuſt ſuſpicions of the Conſul Rutilius againſt many of the Nobility. The execution of the law Varia *ſuſpended. Marius adviſes the Conſul to decline a battle ineffectually. Rutilius is defeated and killed. Grief and conſternation of Rome. Cæpio, deceived by Pompedius, periſhes in an ambuſcade with a great part of his army. Victory of the Conſul Julius, which makes the Romans reſume the habits of peace. Victory began by Marius, and compleated by Sylla. Marius declines a battle. He retires with little glory. Sertorius ſignalizes himſelf. He loſes an eye by a wound in battle. His ſentiments on that occaſion. Two ſlaves ſave their miſtreſs at the ſtorming of Grumentum. Victory of Cn. Pompeius, in conſequence of which the magiſtrates of Rome reſume the ornaments of their dignities. Freedom of Rome granted to ſuch of the allies as had continued faithful. Freedmen admitted into the land ſervice. The Conſul Pompeius preſſes the ſiege of Aſculum. He beats the Marſi, and ſubjects other neighbouring people. A ſlave of Vettius kills his maſter, and then himſelf. The Conſul Porcius is killed in a battle. Young Marius is ſuſpected of being the author*

thor of his death. Sylla deſtroys Stabiæ, and beſieges Pompeii. He takes upon him the command of Poſtumius's army, and does not revenge the death of that General murdered by his ſoldiers. He deſtroys an army of the Samnites commanded by Cluentius. He is honoured with a Corona obſidionalis. *He conquers the Hirpini. He enters Samnium, and gains ſeveral advantages there. He returns to Rome to ſtand for the Conſulſhip. He glories in the title of Fortunate* [Fælix.] *Inconſiſtency of his character. The Marſi lay down their arms. General council of the league transferred to Eſernia. Judacilius, deſpairing to ſave his country Aſculum, poiſons himſelf. Aſculum taken by Cn. Pompeius. Triumph of Cn. Pompeius, in which Ventidius is led captive. Pompedius enters Bovianum in triumph, and is defeated and killed. Embaſſy of the allies to Mithridates, to no purpoſe. The War of the allies ſubſiſts only in a languid manner. Eight new Tribes formed by the new citizens. Cenſors. Aſellio Prætor of the city aſſaſſinated in the Forum by the faction of the rich, who lend money at uſury. Law* Plautia, de vi publica. *By another law of the ſame Tribune, the Senators are reſtored to a ſhare in the adminiſtration of juſtice. Sylla is elected Conſul. Debate on that ſubject between him and C. Cæſar,* 378

Sect. II. *Marius's jealouſy of Sylla riſes to exceſs on the occaſion of a preſent made by Bocchus to the Roman People. Both are ambitious of commanding in the war againſt Mithridates. Marius is ſupported by P. Sulpicius. That Tribune's character. The Senate having given to Sylla the command of the war againſt Mithridates, Sulpicius endeavours to make the People transfer it to Marius. Sedition upon that occaſion. Marius prevails, and has the employment he deſired conferred upon him by the People. Sylla marches with his army againſt Rome. Perplexity of Marius. Deputations ſent by him to Sylla in the name of the Senate. The latter ſeizes Rome. Marius flies. Sylla prevents Rome from being plundered. He reforms the government, raiſed the authority of the Senate,*

nate, and depreſſes that of the People. He cauſes Marius, Sulpicius, and ten other Senators to be declared enemies of the publick. Sulpicius is taken and killed. Flight of Marius. Sylla's moderation. He ſuffers Cinna to be elected Conſul. Marius's party reſume courage. The Conſul Q. Pompeius is killed by his ſoldiers. Cinna, in order to force Sylla to quit Italy, cauſes him to be accuſed by a Tribune of the People. He endeavours to have Marius recalled. To ſucceed in that view, he undertakes to mingle the new citizens with the old tribes. Sedition on that occaſion. Cinna is driven out of the city. He has Sertorius with him. Cinna is deprived of the Conſulſhip, and Merula appointed in his ſtead. He gains the army, which was in Campania. He conciliates the States of Italy to his intereſt. Perplexity of the Conſuls. Marius returns into Italy, and is received by Cinna. They march againſt Rome. Pompeius Strabo comes at laſt to the aid of Rome. Battle, in which one brother kills another. The Samnites join Cinna's party. Death of Pompeius Strabo. Hatred of the public for him. Marius offers Octavius battle, who dares not accept his defiance. Deputies ſent to Cinna by the Senate. Merula abdicates the Conſulſhip. New deputation to Cinna. Council held by Marius and Cinna, wherein the deaths of thoſe of the contrary party are reſolved. Marius and Cinna enter the city, which is given up to all the horrors of war. Death of the Conſul Octavius. Death of the two brothers L. and C. Cæſar, and of the Craſſi, father and ſon. Death of the orator M. Antonius, Catulus, and Merula. Horrible ſlaughter at Rome. Cornutus ſaved by his ſlaves. Humanity of the Roman People. Lenity of Sertorius. New cruelties of Marius. His death. Scævola wounded with a dagger at the funeral of Marius. Reflexion upon the character of Marius, and his fortune. Reflexion upon the ſtate of Rome, 439

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THE

THE ROMAN HISTORY, FROM THE FOUNDATION of ROME TO THE BATTLE of ACTIUM.

BOOK THE TWENTY-SEVENTH.

THIS book contains the ſpace of about twenty years. It includes principally the war with Viriathus, and the ſiege of Numantia: and, laſtly, ſome detached facts till the commotions of the Gracchi.

SECT. I.

Spain gives the Romans great pain and diſquiet. They have ſeveral loſſes in Celtiberia. Several States of Spain ſend Deputies to Rome, to aſk peace. Speech of the Deputies. The Senate refers them to Marcellus, but ſecretly decrees war. The Roman youth refuſe to ſerve in Spain. Young Scipio offers his ſervice, and draws all the youth after him. Marcellus concludes a peace with the Celtiberians. Cruel avarice of the Conſul Lu-

cullus. Siege and taking of Intercatia. Singular battle and victory of Scipio. Lucullus forms and raiſes the ſiege of Pallantia. The Prætor Galba is defeated in Luſitania. Deteſtable perfidy of that Prætor. Viriathus eſcapes being murthered. From a poor ſhepherd he becomes a terrible warrior. By various ſtratagems, in which he abounds, he defeats the Romans on ſeveral occaſions. The Conſul Fabius Æmilianus marches againſt Viriathus. A ſaying of Scipio's excludes the two Conſuls from the command of the armies. Fabius gains ſeveral advantages over Viriathus. Metellus makes war, during two years, with the Celtiberians. His conſtancy and humanity. A ſaying of his upon ſecrecy. Praiſe and character of Viriathus. After having defeated the Conſul Fabius, he retires into Luſitania. Q. Pompeius attains the Conſulſhip by a bad ſtratagem. Exceſſes of Metellus, when he is informed that Pompeius is to ſucceed him. Various expeditions of Pompeius of little conſequence. Expeditions of Fabius into Hiſpania Ulterior. Peace concluded between Viriathus and the Romans. That peace is broken. Viriathus, by a ſtratagem, evades the purſuit of Cæpio. He demands peace of him ineffectually. Cæpio, become odious to the whole army, runs a great riſque. He cauſes Viriathus to be killed by treachery. His obſequies: his merit. Pompey ruins his troops by continuing the ſiege of Numantia during the winter. He concludes a treaty of peace with the Numantines. Pompey afterwards denies having made that treaty, and has intereſt enough to be acquitted at Rome. Example of ſeverity againſt a deſerter. The two Conſuls impriſoned by the Tribunes of the People. Conſtancy of the Conſul Naſica in reſpect to the People. Brutus builds Valencia. He purges the province of robbers. Popillius defeated by ſtratagem before Numantia. Mancinus arrives before that city. He retires by night, and is purſued by the Numantines. He makes an infamous treaty, negotiated by Tiberius. He is ordered to Rome. Mancinus and the Deputies of Numantia are heard in the Senate. Ti. Gracchus ſtrongly ſupports the cauſe of Mancinus. The Conſul Æmilius attacks

attacks the Vaccæi, beſieges Pallantia, and is at length obliged to fly with precipitation. Succeſs of Brutus in Spain. Paſſage of the river Lethe. It is decreed at Rome that Mancinus ſhould be delivered to the Numantines. They refuſe to receive him. He returns to Rome. Noble confidence of the Conſul Furius in his virtue. Scipio Æmilianus is elected Conſul. Spain is given him for his province. He labours and ſucceeds in reforming his army. It aſſumes an entirely new aſpect. Jugurtha comes to join Scipio. Marius ſerves under him. Scipio perſiſts in refuſing the Numantines battle. He draws lines of contravallation and circumvallation round the city. He ſhuts up the paſſage of the river Durius. Wonderful order that he eſtabliſhes for being informed of every thing. Vain efforts of the Numantines. They implore aid of the Arvaci. Scipio ſeverely puniſhes the city of Lutia. Generoſity and diſintereſtedneſs of Scipio. The Numantines ſend to aſk peace. Numantia maſſacres her Deputies. Famine makes horrible havock in that place. It at length ſurrenders. Many kill themſelves. Numantia is totally demoliſhed. Triumphs of Scipio and Brutus. Reflexions upon the courage of the Numantines, and the ruin of Numantia. Private life of Scipio Africanus.

WHILST the Roman arms proſpered in Africa and Achaia, where they entirely ruined Carthage and Corinth, they had not ſuch good ſucceſs in Spain; which, though ſeveral times overcome, was never entirely reduced into ſubjection. We have already obſerved elſewhere, that, of all the provinces of the empire, this was that which ſubmitted with moſt reluctance to the yoke, was always ready to revolt, and made the longeſt and moſt obſtinate reſiſtance. This is the character which * Horace gives it in more than one place, in extolling the victories gained by Auguſtus over the States of Spain, either in perſon or

* Cantabrum indoctum juga ferre noſtra. Od. vi. l. 2. Cantaber ſerâ domitus catena, Od. viii. l. 3. Cantaber non antè domabilis. Od. xiv. l. 4.

by his Lieutenants, and the glory which he had at length attained of ſubjecting it. At the time of which we are ſpeaking, Spain found the Romans great employment. Viriathus on one ſide, and the Numantines on the other, often defeated their armies, and covered their Generals with ſhame and diſgrace. I ſhall not give the war with Viriathus, and that with the Numantines, two different Names. As the duration of the firſt is contained in that of the ſecond, and the events of both are intermixed in ſome degree, I ſhall comprize the whole under the name of the war of Spain. It was made on different ſides, during the ſpace of twenty years, with ſome interruption, but always with animoſity and inveteracy; which ſhews *, that it was not a war of glory and ambition, but of enmity and hatred, which could only terminate with the ruin of one of the two nations. This war ended with the entire deſtruction of Numantia.

A. R. 598. Ant. C. 154. Q. OPIMIUS. L. POSTUMIUS.

A victory gained by the Luſitanians over the Prætor Calpurnius Piſo, animated the neighbouring States, drew them all into the revolt, and made them take arms againſt the Romans.

The fear leſt this inſurrection might have unhappy conſequences, occaſioned the election and departure of the Conſuls to take place ſooner than uſual.

A. R. 599. Ant. C. 153. Q. FULVIUS NOBILIOR. T. ANNIUS LUSCUS.

The Conſuls entered upon office no longer on the fifteenth of March, as had been the ancient cuſtom, but on the firſt of January: and this example became the rule.

* Cum Celtiberis bellum, ut cum inimicis, gerebatur, uter eſſet, non uter imperaret. Offic. i. 38.

Ful-

Fulvius, having Spain for his province, marched againſt the Celtiberians called Belli. That people occupied Segeda, a very ſtrong and powerful city, and fortified it extremely, notwithſtanding expreſs prohibitions of the Senate. When they were informed of the Conſul's approach, who advanced at the head of an army of thirty thouſand men, not having time to compleat their fortifications, they retired with their wives and children into the country of the Arvaci, whoſe principal city was Numantia, imploring their aid againſt the common enemy. The latter placed Carus, a citizen of Segeda, at the head of their troops, one of the moſt able captains of the country. Having laid ambuſcades for the Romans, he attacked them with twenty thouſand foot, and five thouſand horſe: the action was very warm, and the ſucceſs doubtful. Each ſide loſt ſix thouſand men. The Arvaci retired the following night into Numantia. The Conſul followed them thither the next day, and incamped three miles from the city. A ſecond battle enſued. The Romans had the advantage at firſt, and purſued the enemy to the gates of Numantia. But the elephants which Maſiniſſa had ſent them, having turned againſt themſelves, the Numantines, who ſaw that the Roman troops were in diſorder, ſallied out of the city, attacked them vigorouſly, and killed them above four thouſand men. They loſt on their ſide near half that number. The Romans had ſtill ſome other bad ſucceſſes. Ocilis, a famous city of the country where the Conſul had depoſited his money and proviſions, ſurrendered to the Celtiberians.

A. R. 599 Ant. C. 153. Appian. in Bell. Hiſp. p. 275—282.

The Prætor L. Mummius, in Hiſpania Ulterior, received at firſt a conſiderable blow: but afterwards, having been taught by his diſgrace, he gained many advantages, which, though not deciſive, acquired him the honour of a triumph. It was this Mummius who, in his Conſulſhip, of which we have ſpoken already, took and deſtroyed Corinth.

App. ibid.

A. R. 600. Ant. C. 152. M. CLAUDIUS MARCELLUS III.
L. VALERIUS FLACCCUS.

Appian. The Conſul Marcellus had no great ſucceſs againſt the Celtiberians. He, however, retook the city of Ocilis, from which he demanded hoſtages, and thirty talents of ſilver (about thirty thouſand crowns). Whilſt he was preparing to beſiege Nergobrix, the inhabitants ſent Deputies to him, to demand peace upon ſuch conditions as he ſhould think fit. He replied, that they had no peace to hope, unleſs the Arvaci and Celtiberians, ſurnamed Belli, joined with them in making the ſame demand. Thoſe People made no difficulty to conſent to this. The Conſul granted them a truce, in order to give them time to apply to the Senate. Other States, in the alliance of Rome, ſent alſo their Deputies thither, to oppoſe the demand of the firſt, not believing themſelves ſafe unleſs covered by the Roman arms.

Marcellus took up his winter-quarters in a place called Corduba, ſituated upon the river Bætis, in an extremely fertile country. He enlarged the place, and fortified it, ſo that he was conſidered as its founder. And this is the origin of the colony of Cordova.

Mummius having quitted Luſitania, to go to Rome to demand a triumph, the Prætor M. Atilius took upon him the government of that province in his room. The new General, after ſome ſlight ſucceſſes, having retired with his troops into winter quarters, the revolt became almoſt general amongſt thoſe States; and they attacked ſome cities which had declared for the Romans.

A. R. 601. Ant. C. 151. A. POSTUMIUS ALBINUS.
L. LICINIUS LUCULLUS.

Polyb. Legat. 142. Appian. In the mean time the Deputies, of whom we have ſpoke, arrived at Rome. Thoſe who were the allies of

of the Roman People were received into the city: as to the Arvaci, who were conſidered as enemies, they were ordered to remain beyond the Tiber till they ſhould be ſent for. The Conſul introduced them ſoon to an audience of the Senate. All Barbarians, as they were, they gave a very clear and judicious account of the different factions of their country. They repreſented, "That if thoſe who had taken arms againſt the Romans were not puniſhed with ſeverity, they would not fail, as ſoon as the Conſul's army ſhould remove, to fall upon the allies of the Romans, and to treat them as traitors to their country; and that, on the firſt advantage they ſhould have, it would be eaſy for them to draw all Spain into their party. They demanded, in conſequence, either that an army ſhould always continue in Spain, and that a Conſul ſhould be ſent every year to protect the allies, and cover them from the inſults of the Arvaci; or, before the legions ſhould be recalled, that the rebellion of the Arvaci ſhould be ſo ſeverely puniſhed, as to deter all thoſe who ſhould be tempted to follow their example." A. R. 601. Ant. C. 151.

Audience was afterwards given to the Arvaci. Though they affected a kind of humiliation in their words, it was not difficult to perceive, that they did not believe themſelves overcome, and that their hearts were not of accord with this outſide of ſubmiſſion. "They magnified the advantages they had gained in ſeveral battles, and put the Romans in mind of the inconſtancy of fortune. They declared, however, that if any penalty were laid upon them, they ſhould willingly undergo it; provided that, after having thereby expiated the fault which they might have committed through inadvertency. they ſhould be re-eſtabliſhed in the ſame rights which Ti. Gracchus had granted them by the treaty he had made with them."

When the Senate had heard the Deputies of Marcellus, knowing, by their diſcourſe, and the General's own letters, that he openly inclined to peace, they did not think it proper to explain themſelves to the Ambaſſadors of the Spaniards; and contented themſelves with anſwering, that Marcellus would inform

A. R. 601. Ant. C. 151. them of the Senate's intentions. But, at the ſame time, convinced that the intereſt of the allies, and the glory of the Commonwealth, required that they ſhould act with vigour, they gave orders ſecretly to the Proconſul's deputies, who were ſetting out for Spain, to inform him that he was to make war againſt the Arvaci with vigour, and in a manner worthy of the Roman name.

As they relied but little upon the courage of Marcellus, they thought of ſending him a ſucceſſor, with new troops, as ſoon as poſſible, The Conſuls wanted neither zeal nor ardor; but when the queſtion was, to make the levies, difficulties aroſe, which ſurprized the more, as they were leaſt expected. It had been told at Rome by Q. Fulvius, and the ſoldiers who had ſerved under him in Spain, that they had been obliged to be almoſt always under arms; that they had innumerable battles to fight and ſuſtain; that an infinite number of Romans had periſhed in them; that the courage of the Celtiberians was invincible; and that Marcellus trembled for fear he ſhould be ordered to make war longer againſt them. This news occaſioned ſo great a conſternation amongſt the youth, that, in the ſenſe of the oldeſt Romans, the like had never been known. Inſtead of more Tribunes than were neceſſary, as formerly, nobody ſtood for that employment. The perſons whom the Conſul charged with the war in Spain appointed their Lieutenants, refuſed to follow him. What was moſt deplorable, the youth themſelves, though cited according to cuſtom, would not liſt.

The Senate and Conſuls, terrified at ſo ſtrange and ſo unexpected an event, did not know what meaſures to take; finding, in ſuch a conjuncture, both ſeverity and lenity equally dangerous. Scipio Africanus, who was then ſcarce thirty years old, and was the only intrepid and obedient perſon of all that timorous and indocile Youth, on this occaſion ſhewed his courage, and, from thenceforth, that he was born either to ſuſtain the glory, or obliterate the diſgrace, of the Roman name. He roſe up, and ſaid, that he would go and ſerve the Commonwealth in Spain, either as Tribune,

Tribune, or in any other rank that ſhould be aſſigned him. "That he was invited to go to Macedonia in a function wherein he ſhould incur leſs danger;" (the Macedonians having demanded him, by name, for appeaſing ſome troubles that had aroſe in the country) "but that he could not abandon the Commonwealth in ſuch a preſſing conjuncture, which called all thoſe into Spain that had any regard for true glory." This diſcourſe ſurprized and charmed. The heir of the Scipios and Æmilii was with joy diſcerned in this generous reſolution. Every body ran immediately to embrace him: the next day the applauſes redoubled. How efficacious good example is, was then ſeen. Thoſe who before were afraid to liſt, now, apprehending that the compariſon which would not fail to be made between Scipio's courage and their fear, would reflect diſgrace upon them, were eager either to ſollicit military employments, or to cauſe themſelves to be entered for the ſervice. A. R. 601. Ant. C. 151.

This generous zeal of young Scipio very naturally calls to mind that which his grandfather by adoption, the firſt Scipio Africanus, ſhewed in a like conjuncture, and in reſpect to the ſame province.

Whilſt all this paſſed at Rome, the Proconſul Marcellus, more cunning than brave, deſiring extremely to terminate the war before the arrival of his ſucceſſor, to diſengage himſelf from dangers, and, at the ſame time, to ſecure to himſelf the glory of having eſtabliſhed peace in Spain, engaged the Celtiberians, by inſinuation and careſſes, to make peace. The treaty was concluded, and it was agreed, "That the Celtiberians, after they had given hoſtages, and paid the ſum of ſix hundred talents (about ſix hundred thouſand crowns) ſhould live according to their own laws, and be deemed the friends and allies of the Roman People." Appian. de Bell. Hiſp. 289.

The Conſul Lucullus was charged with the war of Spain, and went thither with deſign to make his advantage of the ſpoils of ſo rich a province. On his arrival, he ſaw, with grief, that peace was concluded with the Celtiberians. He did not dare to infringe a treaty juſt made, and turned his views a different way. App. 283.

He

A. R. 601. Ant. C. 151. He reſolved to attack the Vaccæi, neighbours of the Arvaci, though he had neither the Senate's orders, nor any juſt pretext for making war againſt them. He however laid ſiege to Cauca, one of their principal cities. After a ſlight and ſhort defence, the inhabitants ſurrendered. He required hoſtages of them, with an hundred talents, and that their horſe ſhould enter into the ſervice of the Romans. He alſo introduced a garriſon of two thouſand men into the city. The Caucæi refuſed him nothing. The garriſon immediately opened the gates to the whole army, which put all the youth capable of bearing arms to the ſword: twenty thouſand of them were killed. The old men, women, and children, were ſold into captivity; and ſcarce any one could eſcape. The report of ſo barbarous an execution ſpread terror throughout the whole country, and cauſed the Roman name to be abhorred and deteſted every where.

From thence Lucullus marched into Intercatia, another very ſtrong city of the Vaccæi, where the Spaniards had twenty thouſand foot and two thouſand horſe. The Conſul exhorting them to ſurrender upon reaſonable conditions, they replied with inſult, "We "muſt then forget the proof of your faith, which "you gave at Cauca." The beſieged frequently ſkirmiſhed, but avoided coming to a general battle. A Spaniard, one of the principal perſons of the country, of an extraordinary ſtature, and covered with ſhining arms, preſented himſelf in the front of the Roman army, challenging the braveſt amongſt them to ſingle combat: and, as no one dared to accept the challenge, he inſulted the whole army with an air of contempt and ridicule. Young Scipio, who ſerved under Lucullus in the quality of Tribune, not being able to bear ſo groſs an indignity, advanced boldly, and, when they came to blows, ran his enemy through, and laid him dead at his feet. After this glorious victory, the Romans thought only of preſſing the ſiege. Scipio gave new proofs of his intrepid valour on this occaſion, being the firſt that mounted the wall when the aſſault was given to the place: it however was not

carried.

carried. The ſiege afterwards being ſpun out to a great length, and ſickneſs ſpreading amongſt the troops on both ſides, an accommodation was propoſed. The beſieged would confide only in the promiſe of Scipio. The agreement was made. The inhabitants ſupplied the Conſul with ten thouſand coats for ſoldiers, a certain number of great and ſmall cattle, with fifty hoſtages: this had been ſtipulated: for as to gold and ſilver, the ſole things Lucullus ſought in this country, there was none to be had. He paid Scipio all the honours due to him, in the preſence of the army, and adorned him with a mural crown. It is by ſuch degrees perſons at length attain the firſt rank, and it is in this manner that great men are formed. A. R. 601. Ant. C. 151.

Lucullus, whoſe hopes had been fruſtrated at the ſiege of Intercatia, ſought to make himſelf amends by attacking Palliantia, a very ſtrong and opulent city. It was repreſented to him, that this enterprize, in that ſeaſon of the year, might become very dangerous: but avarice has no regard to wiſe counſels. He at length perceived the truth of them, but to his ſhame, being obliged to raiſe the ſiege for want of proviſions. The beſieged purſued and harraſſed him in his march, till he arrived at the river Durius. The Spaniards having retired, the Conſul removed into Turdetania, to paſs the winter-quarters there. Appian.

On the ſide of Hiſpania Ulterior, that is, in Luſitania, the Prætor Ser. Sulpicius Galba, who ſucceeded M. Atilius, having made a forced march to aid allies who were much preſſed, arrived very opportunely near the enemy, and attacked and put them to flight. However, his troops being extremely fatigued, not having had a moment's reſt, did not purſue them with any vigour, and halted from time to time. The enemy perceived this, faced about, attacked the Romans, who could ſcarce carry their arms, with vigour, and killed them about ſeven thouſand men. Galba could not undertake any thing afterwards, and put his troops into winter-quarters till Lucullus came to ſecond him.

We

A. R. 601. Ant. C. 151. We have ſaid, that Lucullus paſſed his winter-quarters in Turdetania. Having perceived that the troops of the Luſitanians, which were in the neighbourhood, obſerved no diſcipline, he ſent a conſiderably ſtrong detachment againſt them, and killed four thouſand of them. He attacked the army of the ſame enemy near Cadiz, and deſtroyed fifteen thouſand of them, puſhed the reſt to an eminence; where, ſoon after, for want of proviſions, they were obliged to ſurrender. He found no farther reſiſtance in Luſitania after theſe ſucceſſes; and ravaged the whole country with impunity.

App. in Hiſp. 288. This example gave Galba courage, and he did the ſame on his ſide, carrying fire and ſword every where; which made the revolted people return to their duty, at leaſt in appearance. They demanded of Galba to be admitted into the amity of the Roman People, upon the ſame conditions as M. Atilius had preſcribed the year before. Galba, concealing a black and deteſtable deſign under a gracious and obliging outſide, profeſſed, "to take compaſſion of their condition, and to be ſorry to ſee, that, rather through neceſſity than malignity, they were reduced to rob and pillage; that he rightly perceived, it was want and poverty that forced them to follow this kind of life; that he could, if that ſeemed convenient, and they would truly become friends of the Roman People, place them in a better ſoil, and ſettle them more to their advantage; by dividing them, however, into three bodies, becauſe he had not at his diſpoſal a ſufficient tract of good land to contain them altogether." The air of goodneſs and fidelity with which he ſpoke to them, perſuaded them. They accepted his propoſal, removed into the three places he pointed out to them, that were ſeparate from each other, and waited there, according to his orders, till he ſhould return. After this, he went to the firſt, and pretending to conſider them for the future as friends, he induced them to put their arms, for which they had no farther occaſion, into his hands; which they made no difficulty to

do,

do. After having thus diſarmed them, he ſurrounded them with intrenchments, and cauſed them to be maſſacred, whilſt they vainly implored the wrath and vengeance of the Gods againſt ſuch perfidy. He did the ſame in reſpect to the ſecond, and then to the third. Few eſcaped the ſlaughter, of which number was Viriathus, no doubt reſerved by an expreſs order of the Divine Providence not to ſuffer a crime, ſo contrary to all laws, human and divine, to paſs with impunity even upon earth. Authors do not agree amongſt themſelves concerning the number of thoſe who periſhed upon this occaſion, ſome making it amount only to nine thouſand, and others to thirty thouſand. Probably the latter have added thoſe who were killed to thoſe who were ſold. Galba diſtributed a very ſmall part of the plunder to the army: his inſatiable avarice engroſſed all the reſt. A. R. 601. Ant. C. 151.

On his return to Rome, he was accuſed before the People for this horrible murther. Cato was his ſtrongeſt and moſt formidable adverſary. I ſhall give the reader all that relates to this trial in the ſequel.

L. MARCIUS.
M. MANILIUS. A. R. 603. Ant. C. 149.

The bloody execution of Galba did not terminate the war in Luſitania. The Romans ſoon paid for the perfidy of which they had been guilty with their blood and defeats. Could one believe that a man of nothing, a deſcendant from the loweſt condition of mankind, could ever form the deſign of making war with the moſt powerful people of the earth? This, however, Viriathus the Spaniard did, who had eſcaped the cruelty of Galba. Every inſtrument ſuffices in the hands of God, when it is his will to chaſtiſe men, and to evidence his juſtice. Viriathus, from a ſhepherd become an hunter, and from an hunter a robber, had long enured himſelf in the foreſts to an hard and laborious life with other mountaineers, all men of bravery and bold like himſelf, without fortune or hopes, living App. in Hiſp. 289.

A. R. 603. Ant. C. 149. living only from the point of the ſword, accuſtomed to fall ſuddenly from the tops of their mountains upon travellers, and to diſappear inſtantly; in a word, continually exerciſed in the greateſt danger and rudeſt fatigues. His troops inſenſibly, through the reputation of their Captain, which increaſed every day, augmented ſo much, that it became an army; with which he had the courage to make head againſt the Generals of the Roman People, as we are going to ſee.

Appian. The army of the Luſitanians, compoſed of ten thouſand men, ravaged Turdetania. The Prætor C. Vitilius arrived opportunely, and attacked them ſo vigorouſly, that he killed a great number of them, and drove the reſt into a place where it ſeemed impoſſible for them to continue without periſhing of hunger, nor remove without being cut in pieces by the enemy. In this extremity, they ſent Deputies to the Prætor, to intreat him, "that he would grant them lands which they might cultivate, and where they might ſettle: that, in acknowledgement, they would employ their arms in the ſervice of the Roman People, to whom they would become moſt zealous and faithful allies." Vitilius reliſhed this propoſal very much, and the treaty was upon the point of being concluded, when Viriathus addreſſed himſelf to his comrades to the following effect: "Are ye then ignorant with what men you are going to treat? Have you forgot, that the Romans are never to be feared more, than when they profeſs favour? And will you, by a blind and imprudent temerity, expoſe yourſelves to a bloody maſſacre, like that which, under Galba, has deprived us of ſo many brave companions? If you will give ear to and obey me, I well know how to extricate you out of the danger that now makes you deſperate." He had no occaſion to ſay more: they all ſwore obedience to him that inſtant.

He immediately drew up his troops, as if to give battle. He choſe a thouſand horſe to accompany him, and gave orders to the reſt, as ſoon as they ſhould

ſhould ſee him mount on horſeback, to fly immediately, diſperſing on ſeveral ſides, and to meet him at the city of Tribola. The Prætor, ſurprized and diſconcerted, did not dare to purſue them, apprehending, that the troops which remained would fall upon his rear. He therefore turned all his forces againſt Viriathus. But the latter, by the ſwiftneſs of his horſes, avoided all his attacks, ſometimes ſeeming to fly, and ſometimes making a feint of advancing againſt him. By this conduct he kept the Romans that and the following day in the ſame place. When he judged that the reſt of the troops were arrived in a ſafe poſt, he retired in the night, through tracks unknown to others, but very familiar to him, and eſcaped the Romans, whom the ignorance of the ways, the weight of their arms, and the little ſpeedineſs of their horſe, prevented from purſuing him long and vigorouſly. The good ſucceſs of this ſtratagem acquired him great reputation, and much augmented his authority. Numbers came from all ſides to liſt under his banners. A. R. 603. Ant. C. 149.

The Prætor, knowing that Viriathus was at Tribola, marched againſt him. It was neceſſary to paſs a foreſt. The new Spaniſh General laid an ambuſcade there, and, having ſhewn himſelf with a ſmall number of troops, fled precipitately, as if through fear, and drew on the Prætor into marſhy places. Viriathus eaſily extricated himſelf out of them by ways which he knew; but this was not the caſe with the Romans, upon whom the troops in ambuſh fell that moment, charging them on the flanks and in the rear. Vitilius was killed. Four thouſand Romans either loſt their lives, or were taken priſoners: Six thouſand retreated to * Carpeſſus with the Quæſtor; who, not relying much upon troops diſcouraged by their defeat, had recourſe to the neighbouring States in alliance with Rome. They ſent him five thouſand men; whom

* Appian believes this to be the city of Tarteſſus, where Arganthonius, ſaid to have lived an hundred and fifty years, reigned.

Viriathus entirely cut to pieces, almoſt not a ſingle man eſcaping.

A. R. 604. Ant. C. 148. Sp. Postumius. L. Calpurnius Piso.

Diod. apud Valeſ. 346. C. Plautius, who ſucceeded Vitilius, and had brought with him ten thouſand foot and thirteen hundred horſe, was not more ſucceſsful. In a firſt action, wherein Viriathus had laid an ambuſcade, he loſt four thouſand men; and almoſt all the reſt in a ſecond. At his return to Rome, he was accuſed before the People, as having occaſioned theſe loſſes by his ill conduct; and baniſhed.

Front. Strat. iii. 10. The inhabitants of Segobriga ſuffered themſelves to be twice deceived by the ſtratagems of Viriathus. Seeing a ſmall number of ſoldiers driving cattle, they ſent out a conſiderable detachment againſt them, which fell into an ambuſcade, and was entirely defeated.

Ibid. 11. Some time after, having removed three days march from Segobriga, and thereby inſpired the inhabitants with a falſe ſecurity, he returned ſuddenly, in a ſingle day, and ſurprized the city, which did not expect to be attacked in ſo ſhort a time.

He had many other ſucceſſes: and, beſides the two Prætors of whom we have juſt been ſpeaking, A. R. 607. Ant. C. 145. Hiſtory alſo mentions Claudius Unimanus, and Nigidius Figulus, whoſe defeat added new glory to the arms of Viriathus. The Senate at length perceived, that they had a ſerious war in hand, and that it was neceſſary to ſend a Conſul with conſiderable forces into theſe provinces, to reduce an enemy that at firſt ſeemed only worthy of contempt.

A. R. 607. Ant. C. 145. Q. Fabius Æmilianus. L. Hostilius Mancinius.

The province of Spain fell to Fabius, who was the ſon of Paulus Æmilius, and the elder brother of the ſecond Scipio Africanus. He carried with him only new

new raiſed men; becauſe it was judged reaſonable to let the ſoldiers who had ſerved in Africa, Greece, and Macedonia, enjoy the repoſe they had ſo well deſerved. The number of troops who followed him into Spain amounted to fifteen thouſand foot, and near two thouſand horſe. When he arrived, he gave the care of forming them, by continual exerciſes, for all the functions of war, to his Lieutenants, whilſt he went to Cadiz to offer a ſacrifice to Hercules, who was conſidered as the firſt of the family of the Fabii. Miſtaken religion! he had done better not to have quitted his army, where his duty required his preſence. During his abſence the enemy defeated one of his Lieutenants, and took great ſpoils from him: this news haſtened his return. Viriathus, haughty from the victory he had lately gained, offered Fabius battle every day. But the latter, firm and unalterable to the reſolution he had formed of not venturing a general action, contented himſelf with ſlight ſkirmiſhes, to form and re-animate his troops by degrees, who were void of experience, and much intimidated by their defeat. He accompanied them in perſon in foraging, to prevent ſurprizes by an enemy fruitful in ſtratagems, and whoſe vigilance nothing eſcaped. A. R. 607. Ant. C. 145.

SER. SULPICIUS GALBA.
L. AURELIUS COTTA. A. R. 608. Ant. C. 144.

Both the new Conſuls extremely deſired to command in Spain, and their debates upon this head divided the whole Senate. Scipio's opinion, whoſe quite recent glory of having deſtroyed Carthage gave him great authority, was expected with impatience. "I think," ſays he, "that both ought to be excluded; becauſe the one has nothing, and nothing will ſatisfy the other." If this was the Cotta, as is highly probable *, who, ten years before, would have avoided paying his debts under the refuge of the Val. Max. vi 4.

* This fact will be ſpoken of elſewhere.

A. R. 608. Ant. C. 144. Tribunitian power, with which he was then inveſted, Scipio's cenſure was perfectly well applied. As to Galba, he was the perſon who had treacherouſly maſſacred the Luſitanians.

App. 291. The command was, in conſequence, continued to Fabius, who this year reaped the fruits of the wiſe conduct he had before purſued, and the ſtrictneſs with which he had cauſed diſcipline to be obſerved in his army. The ſoldiers, formed by his care, and ſtill more animated by his example than his diſcourſe, were quite changed. They feared the enemy no longer, and were not averſe to a battle. Viriathus perceived this plainly. His pride and boldneſs began to abate, after he had been defeated on ſeveral occaſions. This campaign was as glorious for the Romans, as the preceding had been ignominious to them, and re-eſtabliſhed their reputation. Fabius put his troops into winter-quarters at Corduba, which I ſhall call Cordova in the ſequel.

A. R. 609. Ant. C. 143.

AP. CLAUDIUS PULCHER.
Q. CÆCILIUS METEL. MACEDON.

Viriathus, taught by his defeats, did not confide in his own forces, but ſought aid from his neighbours. He ſent Deputies to the Arvaci, the Tithi, and the Belli, who, ſince the peace made eight years before with Marcellus, did not ſeem to have moved; and engaged them to take up arms againſt the Romans, and join him. Viriathus's plan ſucceeded wonderfully. It diſcharged him from the greateſt part of the weight of the war. Only a Prætor was ſent againſt him, whilſt the Conſul Metellus marched againſt the Celtiberians. Moſt hiſtorians make the war of Numantia the principal city of the country of the Arvaci, as we have already ſaid, begin here.

Metellus made war in Spain during two years with great ſucceſs; the particulars of which are not come down to us. For want of a circumſtantial account of his exploits, authors have preſerved what is of no leſs

value,

value, ſtrokes that characterize him, and give us room to conſider him as a perſon of very exalted merit. A. R. 609. Ant. C. 143.

He was a man of conſtancy and ſeverity in command. When he beſieged Contrebia, an important city in the country of the Celtiberians, five Roman cohorts gave way upon an occaſion, and abandoned the poſt he had aſſigned them. Metellus commanded them to return to it immediately, giving orders, at the ſame time, to the reſt of the army, to treat as enemies, and to kill, whoever ſhould fly for ſafety to the camp. So rigorous an order extremely alarmed the ſoldiers of thoſe cohorts, and they all made their wills, as going to certain death. The General continued inflexible; * and his conſtancy proved ſucceſsful. The ſoldiers, who went to battle expecting nothing but death, returned victorious. Such force has the ſenſe of ſhame, when united with fear, and ſuch courage does deſpair ſometimes impart! Val. Max. ii. 7.

The ſteadineſs of Metellus did not however degenerate into rigour and cruelty: and he was ſenſible to humanity to ſuch a degree, as to give it a preference to the hope of victory. He had made a breach in the walls of Nergobriga; and the beſieged ſeeing themſelves upon the point of being forced, thought it adviſeable to place upon the breach the children of Rhetogenes, an illuſtrious Celtiberian, who had quitted his countrymen to adhere to the Romans. The father was not with-held by ſeeing the danger and death of his children, and preſſed the General to give the aſſault. Metellus refuſed it, and choſe rather to renounce a certain conqueſt, than to deſtroy innocent victims. He accordingly raiſed the ſiege of Nergobriga. But if he omitted taking one city, he found full amends in the voluntary ſubmiſſion of many others, which opened their gates with joy to an enemy of ſo much clemency and generoſity. Val. Max. x. 1.

* Perſeverantia ducis quem moriturum miſerat, militem victorem recepit. Tantum effecit mixtus timori pudor, ſpeſque deſperatione quæſita. VELL. ii. 5.

A R. 609. Ant. C. 143. He had, beſides, another quality, highly important in the conduct of great affairs; this was, ſecrecy. One day, on being aſked by a friend what he was going to undertake, "I would burn my veſt," replied he, "if "I thought it knew my deſigns."

Auctor. de vir. Illuſt.

With theſe talents, and by this conduct, Metellus gained great advantages over the Celtiberians. But the Prætor Quintius, who had ſucceeded Fabius in the command in Luſitania, had not the ſame ſucceſs. He had, however, gained advantages at firſt; having put Viriathus to flight, and obliged him to retreat to a mountain, where he kept him blocked up in a very narrow compaſs: but that artful Spaniard having fallen ſuddenly upon him, at a time when he was not very vigilantly upon his guard, killed him abundance of men, took many enſigns, and purſued the Romans quite to their camp.

The mountain of Venus.

Frein-ſhem. liii. 11.

The reader may, with reaſon, be ſurprized, to ſee a man of neither birth nor education, as we have obſerved elſewhere, without ſupport or protection, who is at the head of troops by a means entirely extraordinary, and without the ſanction of publick authority, ſuſtain, during ſeveral years, the weight of the Roman arms, with honour. His perſonal merit ſupplied him with all that he wanted in other reſpects. He had intrepid valour, wonderful ſagacity, a perfect knowledge of the art military, an extraordinary capacity for the ſtratagems of war, and a patience proof againſt the rudeſt fatigues, which a robuſt body, and long habit of living hard, enabled him to ſupport. With theſe qualities he had humanity, moderation, and juſtice. He equally divided the plunder acquired by the method of arms between thoſe who adhered to him. Whatever riches fell into his power, he never thought of appropriating them to himſelf. After having gained ſo many victories, he always continued what he had been in his firſt campaigns: he had the ſame arms, the ſame habit, and the ſame outſide in every thing. No feaſt, no rejoicing, not even that of nuptials, ſo legitimate and allowable, made him change

De Offic. ii. 40.

any

any thing in his uſual manner of life. He always ſtood at table, ate only bread and coarſe meats, leaving thoſe that were more delicate to his gueſts. By this regular and temperate life, he retained a ſound and vigorous body to the laſt, a mind always capable of applying to affairs, and a virtue and reputation exempt from all reproach. A. R. 609. Ant. C. 143.

L. METELLUS CALVUS.
Q. FABIUS MAXIMUS SERVILIANUS. A. R. 610. Ant. C. 142.

Fabius had Hiſpania Ulterior for his province. His army conſiſted of eighteen thouſand foot, and ſixteen hundred horſe. As he was haſtening his march to Ituca in Bœtica, with part of his troops, Viriathus advanced to meet him with ſix thouſand men, all veteran ſoldiers, and accuſtomed to conquer. The Romans found no ſmall difficulty in ſuſtaining their firſt charge: they however maintained their ground, and the Conſul purſued his march. The reſt of the army having joined him, with ten elephants and three hundred horſe, which Micipſa King of Numidia had ſent him, he attacked Viriathus, defeated and put him to flight: but the Spaniard, whoſe attention nothing eſcaped, having obſerved diſorder amongſt the troops that purſued him, faced about againſt them, defeated them, killed three thouſand, and purſued the reſt to the gates of the camp, where the Romans ſhut themſelves up, and neither the Conſul nor the reſt of the officers could prevail upon them to march out againſt the enemy. Night put an end to the battle. Viriathus, after having long harraſſed the Conſul, ſometimes in the night, and ſometimes in the heat of the day, and having made him ſuffer extremely, retired into Luſitania. App. 280.

A. R. 611. Ant. C. 141.

Q. POMPEIUS.
C. SERVILIUS CÆPIO.

Q. Pompeius was the firſt of his name and family that raiſed himſelf to the great offices. The Nobility of the houſe of the Pompeii, which will ſoon become ſo powerful, and will hold the firſt rank in Rome, is of no antienter date.

The manner in which he of whom we are ſpeaking attained the Conſulſhip, does his probity and ſincerity no great honour. Lælius ſtood for this office, ſupported with the whole credit of Scipio. Pompeius, whom they reckoned in the number of their friends, concealed the deſign he alſo had of aſking the Conſulſhip, and even promiſed to join them in ſolliciting for Lælius: but, inſtead of taking pains for the latter, he acted ſtrenuouſly for himſelf; and ſucceeded ſo well, that he ſupplanted Lælius, and was elected Conſul. He thereby loſt Scipio's friendſhip; that is, a much more valuable good than the Conſulſhip, eſpecially acquired by treachery.

Val. Max. ix. 3.

He alſo ſucceeded in having the command of the army in Hiſpania Citerior conferred upon him, in the room of Q. Metellus, who was his particular enemy. Metellus was highly incenſed at this, and proceeded to exceſſes that extremely ſully the praiſes hiſtory has hitherto given him. To prevent his enemy's having any advantage from his labours, he was not afraid to prejudice the publick affairs, and the ſervice of the Commonwealth. He diminiſhed his army, by giving diſcharges to all that demanded them: he ruined the magazines he had made for ammunition and proviſions: he cauſed the bows and arrows of the Cretans, that ſerved as auxiliaries in his troops, to be thrown into the river: he ordered that no provender ſhould be given to the elephants. Deplorable example of the weakneſs of human virtues! they hold good againſt ordinary attacks, and, in conſequence, long ſeem pure and irreproveable: but, as ſoon as the ruling paſſion comes

comes in play; as ſoon as the weak part of the ſoul is attacked, they deliver up their arms: every thing is in diſorder, every thing is inverted; and it then evidently appears, that it was not virtue that was adhered to, but the ſplendor and homage which attend the practice of it. A. R. 616. Ant. C. 144.

Metellus, in deſiring to hurt his enemy, hurt himſelf very much: he ſullied the glory of his exploits in Spain, which were great, and deprived himſelf of the triumph that was to have been the reward of them.

Q. Pompeius was not ſo capable of conducting a war, as managing an intrigue. On arriving in his province, notwithſtanding all the ill-will of Metellus, he found himſelf at the head of an army of thirty thouſand foot, and two thouſand horſe. He no doubt brought with him a conſiderable reinforcement: but he was far from doing all the ſervice with that army that might be expected from it.

The Arvaci, probably terrified by the number of theſe troops, had ſent Deputies to the Conſul to treat of peace with him, and all the conditions of it were ſettled; the principal of which were, that they ſhould put Termeſta and Numantia, the ſtrongeſt places of the country, into the hands of the Romans, and ſhould deliver up all their arms: but, when they came to the execution of this laſt article, it appeared ſo unworthy and ſhameful, that, looking upon each other, they aſked whether they could live without arms, and without honour? Their very wives and children, tranſported with grief and indignation, made them the ſharpeſt reproaches, and declared, that it would not be poſſible for them to acknowledge them any longer either as huſbands or fathers, if they were capable of ſuch meanneſs. In conſequence, the treaty was broken. Diod. apud Fulv. Urſin.

Pompey then formed the ſiege of Numantia: but, diſguſted by difficulties which he found in it contrary to his expectation, he ſoon after raiſed the ſiege, and made his army inveſt Termantia, expecting to carry it with more eaſe. The ſucceſs did not anſwer his

A. R. 611. Ant. C. 141. hopes. He was more fortunate in the expedition he undertook againſt a great body of robbers who ravaged Sedetania, of whom he purged the whole country.

Diod. apud Valeſ. 358. He afterwards beſieged Lanci. The Numantines ſent four hundred youth to the aid of that neighbouring and allied city. The beſieged received them with all poſſible marks of joy, as their preſervers. Some time after, finding themſelves very much preſſed, they offered to ſurrender, demanding no condition but to have their lives ſpared. The Romans inſiſting that the Numantines ſhould be delivered up to them, they at firſt ſtrongly refuſed to hearken to that propoſal: but being, at length, in want of every thing, and perſuading themſelves that neceſſity had no law, they let the Romans know ſecretly, that they were determined to do what they required of them. The Numantines were informed of this: being deſirous that ſo ſhameful a treachery ſhould not paſs with impunity, they attacked the inhabitants in the night, and put many to the ſword: the fight was rude and bloody. The Conſul, informed by the noiſe occaſioned by this tumult, took the advantage of it for ſcaling the walls, and made himſelf maſter of the place. All the inhabitants were put to the ſword. He gave the Numantines who remained, to the number of two hundred, liberty to return home: whether he was moved with compaſſion for the unhappy fate of thoſe brave men, whoſe ſervice and zeal had been repaid only with ingratitude; or deſigned, by that act of clemency, to diſpoſe the inhabitants of Numantia to ſubmit to the Romans.

App. 293. In Hiſpania Ulterior, the Proconſul Fabius Servilianus, who had been continued in the command, took ſome places garriſoned by Viriathus, and a famous chief of the robbers, called Connobas, who ſurrendered himſelf to him with all his troop. Only the chief was ſpared: Fabius cauſed the right hands of all his ſoldiers to be cut off; a treatment which appeared unjuſt and cruel, becauſe they had ſurrendered upon the Proconſul's faith.

He

He afterwards led his army to Eriſana, which he beſieged. Viriathus having found means to get into the place in the night, without being perceived by the Romans, made a rude ſally upon them the next morning, in which he killed them abundance of men, and puſhed them to a poſt from whence it was difficult for the army to get off. * Viriathus did not forget himſelf in good fortune: he did not ſuffer himſelf to be dazzled with ſo ſoothing an advantage, but conſidered it as a favourable occaſion for making a good peace with the Romans. Accordingly, a treaty was concluded, to the following effect: "That there "ſhould be peace and amity between the Roman "People and Viriathus, and that both ſides ſhould "retain what they actually poſſeſſed." This treaty, though not much for the honour of the Roman name, was ratified by the People: ſo burthenſome did the war of Spain ſeem to them. A. R. 611. Ant. C. 141. App. p. 294.

C. LÆLIUS SAPIENS.
Q. SERVILIUS CÆPIO. A. R. 612. Ant. C. 140.

Hiſpania Ulterior fell to Cæpio, who was the brother of Fabius Servilianus; and the command in Hiſpania Citerior was continued to Q. Pompeius.

As ſoon as Cæpio was arrived in his province, he wrote to the Senate, that the treaty concluded by his brother with Viriathus diſhonoured the Roman People. The Senate, by their anſwer, gave him permiſſion to diſtreſs Viriathus as much as poſſible, but without noiſe. Not ſatisfied with this tacit permiſſion, he returned to the charge, and inſiſted ſo often and ſo ſtrongly, that the Senate at length conſented that he ſhould make open war againſt Viriathus. With politicians, treaties and oaths paſs for nothing, when they become incommodious, and do not ſuit their views. Ibid.

* Τὴν ἰυτυχίαν ὐχ ὕβριστν. Literally, did not brave good fortune. It is daring good fortune, to conſider it as obliged to attend us always, as if in our pay and at our diſpoſal.

Viriathus,

A. R. 612. Ant. C. 140. App. p. 294

Viriathus, not being in a condition to oppoſe the Conſul's army, quitted Arſa, where he was when he received this news, and made great marches before him, ravaging all the places through which he paſſed, to retard the purſuit of Cæpio. The latter could not come up with him till he came to the frontiers of Carpetania. The Spaniard had recourſe to his uſual ſtratagems. Having choſen all his ſwifteſt horſe, he drew them up in battle upon an eminence, as if he was preparing to give battle, and in the mean time he made the reſt of his troops file off through a dark winding valley, whilſt the detachment he was drawing up covered their retreat. When he believed them far enough before, he ſet out himſelf full ſpeed, well aſſured that the ſwiftneſs of his horſes would make the enemy incapable of coming up with him, however near they were. Accordingly, they could not ſo much as diſcover what route he had taken. The Conſul made his wrath fall on the Vectones and the Gallaci, by entirely deſtroying their country, to deprive the enemy of all hopes of aid from them.

Viriathus, ſeeing that the war became every day more difficult for him to ſupport, and that ſeveral of his allies, ſome from neceſſity, and others of their own accord, quitted his party, thought it prudence to try methods for an accommodation before he had received any blow. For this purpoſe, he ſent Deputies to the Conſul; who repreſented to him, "That, for fourteen years, which the war had continued, there had been various advantages and loſſes on both ſides: that their General, at a time when his affairs could not be ſaid to be in a bad condition, had ſeized the firſt occaſion which offered for making peace with the Romans: that the Conſul's own brother had granted it, and that it had been ratified by the Roman People. That he did not think he had given any cauſe of complaint ſince the concluſion of that treaty; but that, without deſiring to enter in any manner into diſcuſſions upon that head, he prayed the Conſul to conſider, that he always continued, on his ſide, in the ſame diſpoſition for

for peace, and even ready to accept any other new reaſonable condition which the Roman People ſhould pleaſe to impoſe upon him." A. R. 612. Ant. C. 140.

The Conſul anſwered in few words with great haughtineſs, "This is not the firſt time, Luſitanians," ſaid he to them, "that you have talked in the ſame "ſtrain. For ſeveral years you have aſked peace, "with ſo much earneſtneſs that one would think you "were weary of the war; and yet you always begin it "again with a virulence which ſhews that you cannot "bear peace. It is to no purpoſe to ſpeak of a treaty "that ſubſiſts no longer, as the Roman People have "cancelled it. The queſtion is, whether Viriathus "is ſincerely diſpoſed to ſubmit to the Senate's orders. "Now what we principally require of him is, as he "has made ſeveral of the cities of Spain quit the ſide "of the Romans, the principal citizens of which he "honourably entertains about him, that he delivers "up thoſe rebels to us. It is by this proof we ſhall "know, that he really repents his paſt conduct."

Viriathus paſſionately deſired peace: he reſolved to obey, cauſed part of the perſons demanded to be put to death, amongſt the reſt, his own father-in-law, and delivered up the reſt to the Conſul; who ordered their hands to be cut off. Cæpio afterwards propoſed a new condition; which was, that Viriathus and the Luſitanians ſhould deliver up their arms. To this article neither that General nor his troops could conſent; ſo that the war was began again.

It is evident, that Viriathus was ready to ſacrifice every thing for the ſake of peace, except his liberty and that of his country. He had done but too much to purchaſe that peace, when he put to death and delivered up the principal perſons of his allies to the Conſul: and of all the actions hiſtory relates of him, this is the only one that cannot be excuſed. But when the queſtion was to deliver up his arms, that is, to ſubmit to the yoke, and be at the mercy of the Romans, he could not reſolve upon it. Was he in the wrong, when

A. R. 612. Ant. C. 140. when he had the examples of the perfidy and cruelty of a Lucullus and a Galba?

Diod. apud Valeſ. 618. Cæpio, with whom he had now to do, was not a man of much more honour; and he had, beſides, ſo much haughtineſs and cruelty, that he was odious to the whole army, and principally to the cavalry, by whom he believed himſelf deſpiſed, and whom he treated, for that reaſon, with ſtill leſs favour than the reſt of the troops. To humble and mortify this corps, he ordered the ſix hundred horſe of the two legions to go, attended only by their ſervants, to cut wood near the mountains occupied by the enemy: this was evidently ſending them to the ſlaughter. The Lieutenants and Tribunes remonſtrated upon it to the Conſul; but he had no regard to them, and perſiſted in his reſolution. His deſign was, to reduce them to come of themſelves to aſk favour of him, and to humble themſelves before him. They choſe rather to expoſe themſelves to certain death, than to give him that unjuſt and malignant ſatisfaction. In conſequence, they immediately ſet out. The cavalry of the allies, and many other ſoldiers and officers, who could not endure that ſo many brave men ſhould be ſacrificed to the Conſul's caprice, accompanied them voluntarily. The detachment being much ſtrengthened by this additional body of troops, cut wood without any danger.

At their return nothing was heard but murmurs, complaints, and imprecations againſt the Conſul. In their rage, ſomebody happened to ſay, that he well deſerved to be burnt himſelf with the wood they were carrying back. Every body took hold and applauded that word that moment; and, as ſoon as they re-entered the camp, they began to place the wood round Cæpio's tent. If he had not eſcaped their fury by flight, a Conſul of the Roman People would have been burnt in his tent by his own ſoldiers: a thing without example.

App. 269. The danger he had been in, which did not leave him without dread, made him more deſirous than ever

to ſee an end of this war: but, as he did not believe it poſſible to terminate it by honourable means, he had recourſe to treachery. With money and promiſes he corrupted two officers ſent by Viriathus to treat of peace with him, and engaged them to murther their General. Accordingly, they killed him without noiſe, or being diſcovered, having entered his tent in the night, where they found him aſleep; and immediately went to carry the news to the Conſul, and to demand the reward he had promiſed them. He referred them to the Senate, to whom he ſaid it alone belonged to determine, whether officers ſhould be rewarded who had killed their General. What a monſter was this! A. R. 611. Ant. C. 140.

When the news of the death of Viriathus ſpread in the army, the whole camp reſounded with cries and groans. They deplored the ſad fate of their General, and their own misfortune; having neither leader, ſtrength, nor counſel. It was to them an increaſe of grief, not to know the authors of the crime, and to have the conſolation of taking a juſt and legal vengeance of them. With faces bathed in tears they paid him the laſt duties with all the magnificence in their power. They laid his body upon an high funeral pile, and burnt it, after having ſacrificed a great number of victims. The troops, both infantry and cavalry, marched ſeveral times round the pile, drawn up in battalions and ſquadrons, ſinging, after their barbarous manner, the praiſes of the dead. When the fire was out, they gathered his aſhes, and placed them in a tomb. The ceremony concluded with battles between two hundred couple of gladiators. App. 269.

Viriathus was equally a good ſoldier and a good General; a man both to deſign and execute, full of courage, and, at the ſame time, of great prudence: ſolely intent upon the good of his troops, and indifferent to his own wants, he made himſelf as well beloved by them as a good father is by his children. He knew how to keep them within the bounds of their duty by an exact diſcipline, but tempered with lenity, and always guided by reaſon. Accordingly, during

A. R. 612. Ant. C. 140. during more than ten years, that he commanded, no commotion, nor any ſedition, ever aroſe in his army. Excellent talent in a commander without birth, That of knowing how to make himſelf reſpected: but ſuperior merit ſerved him inſtead of nobility.

The war with Viriathus ended with his life, but not that of Spain, which, for ſeveral years more, gave the Romans no ſmall diſquiet. Pompey again beſieged Numantia, which made a vigorous defence. The ſallies of the beſieged were ſo frequent, and they attacked ſometimes the foragers, and ſometimes the troops employed in the works, with ſo much ardour, that the Romans hardly dared to quit their intrenchments. Many fell in theſe different attacks.

App. 298. New troops arrived from Rome, ſent by the Senate into Spain to relieve ſuch of the ſoldiers as had deſerved their diſcharge by ſix years ſervice. Though Pompey did not rely much upon theſe troops, who were new levies and without experience, however, to enure them to the fatigues of war, and alſo to re-eſtabliſh his own reputation, which was next to entirely loſt, he reſolved to continue the ſiege even during the winter. The rigor of the ſeaſon, and the air and water of the country, to which thoſe ſoldiers were not accuſtomed, occaſioned many diſeaſes, and, particularly, very painful cholicks, which made great havock in the army. To add to their misfortune, the beſieged, knowing that the Romans had ſent out a great detachment to intercept a conſiderable convoy, poſted an ambuſcade near the camp, and afterwards attacked the advanced guards with ſome troops of ſoldiers. The Romans not being able to ſuffer this inſult, quitted their intrenchments in great numbers; the beſieged did the ſame, and an action enſued; during which the Numantines ſuddenly quitted their ambuſcade, and defeated a great part of the enemy. The victors, animated by this ſucceſs, marched without loſs of time againſt the great detachment, and cut it almoſt entirely to pieces.

Pompey,

Pompey, perceiving he had taken a wrong ſtep, retired from before Numantia, and made his troops go into winter-quarters in ſeveral cities. But, as he expected a ſucceſſor in the ſpring, and at his return to Rome was afraid of being accuſed before the People, he thought it neceſſary to take ſome meaſures for avoiding that danger: with this view he ſent ſome perſons in whom he could confide to the Numantines, to induce them to demand peace, by giving them hopes that very favourable conditions would be granted them. Though they might have had many advantages over Pompey, however, wearied out by the length of war, and, no doubt, becauſe they were ſenſible of the great diſproportion between their own forces and thoſe of the Romans, they readily gave in to the overtures made them. When their Ambaſſadors appeared, Pompey, aſſuming an haughty tone, declared in the aſſembly, that he had no other conditions to propoſe to them, except that they ſhould deliver up themſelves, and all they poſſeſſed, to the diſcretion of the Roman People: but, underhand, he let them know his reaſons for that language. The treaty was concluded: they made their ſubmiſſion in the preſence of the aſſembly; but nothing farther was required of them but to deliver up their priſoners, with the deſerters, and that they ſhould give hoſtages. It was alſo ſtipulated that they ſhould pay thirty talents, part down, and part in a certain ſhort time. A. R. 612. Ant. C. 140. App. 299. 30,000 crowns.

M. Popilius Lænas.
Cn. Calpurnius Piso. A. R. 613. Ant. C. 139.

As ſoon as Popilius, who was appointed Pompey's ſucceſſor in Hiſpania Citerior, arrived there, the Numantines offered to pay the remainder of the ſum that had been ſtipulated. Pompey, who ſaw himſelf diſcharged from the care of the war, denied that he had made any treaty with them. The Numantines, inexpreſſibly ſurprized, and imagining all that paſſed a dream, exclaiming againſt the Proconſul's breach of

A. R. 613. Ant. C. 139. faith, called upon the Gods and men to witneſs the wrong done them; for ſome Senators and many officers had been preſent at the concluſion of the treaty. The Conſul referred them to the Senate; and, in the mean time, attacked the Luſones, a people in the neighbourhood of Numantia; againſt whom he did nothing conſiderable.

The Deputies of the Numantines pleaded their cauſe at Rome, and proved it ſo evidently, that it was impoſſible to diſguiſe Pompey's breach of faith. He however perſevered, and ſupporting himſelf by his credit, which was enormous, he perſiſted in denying the fact with the utmoſt impudence; and it was decreed, that there had been no treaty. In proportion as we proceed in our hiſtory, we ſhall ſenſibly perceive the progreſs which corruption of manners of every kind makes in Rome.

It ſhewed itſelf again at the ſame time, in reſpect of the ſame Pompey. He was accuſed of extortion, and four perſons of Conſular dignity, the two Cæpios and the two Metelli, depoſed againſt him. Cicero ſays, that the authority of thoſe grave witneſſes had not its effect, becauſe they were conſidered as enemies of the accuſed. But to judge of this particular fact from the reſt of Pompey's conduct, it is highly probable, that the credit of this factious and intriguing man carried it alſo in this caſe againſt right.

Cic. pro Font. n. 13.

A. R. 614. Ant. C. 138.

P. Cornelius Scipio Nasica.
D. Junius Brutus.

I cannot omit, before I continue our account of what paſſed in Spain, relating, in this place, ſome remarkable facts that paſſed this year at Rome.

Liv. Epiſt. The Tribunes of the People gave an example of ſeverity highly capable of ſuſtaining the military diſcipline: C. Matienus, a name known in other reſpects in the Roman Hiſtory, had quitted the army in Spain without a diſcharge. He was accuſed, for this reaſon, before the Tribunes, and by their ſentence condemned to

to be whipped with the Furca (or gibbet) on his neck, and afterwards to be ſold for * the loweſt price, as being of leſs value than the meaneſt of ſlaves. This ſentence was executed in the preſence of the new-raiſed ſoldiers the Conſuls were then levying. A. R. 614. Ant. C. 138.

This inſtance of ſeverity, at a time when the glory of the Roman arms declined every day, did the Tribunes great honour: but they ſoon loſt the merit of it, by the inſolence of their conduct in reſpect to the Conſuls. They pretended to a right of exempting ten citizens, of their own chuſing, from the neceſſity of liſting for the ſervice in the field. This was an old diſpute, which had been already carried very far, between the Tribunes and Conſuls thirteen years before. The Conſuls of the year we now ſpeak of ſtrongly oppoſed this attempt: and the Tribunes, in their fury, and particularly animated by Curatius, one of their own number, a man of the meaneſt extraction, had the inſolence to commit the two Conſuls to priſon. † This is the firſt, but will not be the laſt inſtance of this violence of the Tribunes. The privilege they had, of being ſacred and inviolable in their perſons, made them capable of daring any thing, without its being poſſible to withſtand them, when they were all agreed. We ſhall ſoon ſee this power of the Tribuneſhip riſe to exceſſes ſtill more fatal to the Commonwealth.

Theſe two Conſuls, who were treated with ſo much indignity, beſides the reſpect due to their ſupreme ſtation and birth, were highly to be regarded on account of their perſonal merit. Scipio Naſica gave a proof of his admirable conſtancy of mind, not only on the occaſion of which I have been ſpeaking, but in oppoſing and ſilencing the whole aſſembled people. Proviſions were dear at Rome, and the ſame Tribune of the People, Curatius, was for forcing the Conſuls into certain regulations in reſpect to corn. Naſica

* Seſtertio nummo: about three half-pence.

† Cicero l. iii de leg. n. 20. ſays this in expreſs terms. However, the epitome of Livy tells us, that the Conſuls Lucullus and Albinus had before been impriſoned upon the ſame diſpute.

A. R. 614. Ant. C. 138. oppoſed this; and, as his diſcourſe was ill received by the People, and he was interrupted by murmurs and cries, "Romans," ſaid he, raiſing his voice, "be "ſilent: I know better than you what is for the good "of the Commonwealth." * At that word the Aſſembly was ſilent out of reſpect; and the authority of a ſingle man had more impreſſion upon the multitude, than ſo ſenſible a concern as that of proviſions and bread.

As to Brutus, he acquired much glory in Hiſpania Ulterior, whither he was ſent to eſtabliſh peace in that country.

After the death of Viriathus, a great number of thoſe who had ſerved under him ſubmitted voluntarily. Cæpio took their arms from them: but, to make them quit the life of robbers, which they had hitherto followed, he conceived it neceſſary to tranſplant them into another country, where a ſettlement, and lands to cultivate, were given them. He had not time to compleat the execution of this project: Brutus put the laſt hand to it, and cauſed the city of Valentia to be built for them, ſettling them, as we ſee, in a place far remote from Luſitania.

By the example and under the protection of Viriathus, many troops of robbers ravaged Luſitania, and continued to do ſo after his death. Brutus undertook to purge the province of them, which he did not effect without difficulty. Accuſtomed to live in the mountains, of which they knew all the windings and turnings, they fell ſuddenly in troops upon travellers, and even upon bodies of ſoldiers, and then retired to their holes, by by-ways almoſt impracticable, with a ſpeed that made the purſuit of the moſt active and determinate enemies ineffectual. This trade the Miquelets ſtill follow in ſome provinces of Spain.

The Conſul could conceive no other method for putting a ſtop to their incurſions, than to attack the

* Quâ voce auditâ, omnes pleno venerationis ſilentio, majorem ejus auctoritatis, quàm ſuorum alimentorum, curam egerunt. VAL. MAX. iii. 7.

towns

towns and villages that belonged to them, and where they were born, in hopes that they would, perhaps, come to the relief of their countries, or, at leaſt, that they would abandon thoſe places to his ſoldiers, the plunder of which would make them amends for all their pains and fatigues. He found more reſiſtance there than he expected; not only the men, but the women, took arms, to defend their houſes and effects. Theſe Luſitanian women went to battle like men, and endured wounds and death with the ſame courage. It was, however, neceſſary to give way to force; and the inhabitants of thoſe places, finding it impoſſible to reſiſt the number of their enemies, which was infinitely ſuperior to their own, removed all the effects they could carry away to the mountains, and thereby ſecured their perſons and goods. But at length, being deſirous to prevent the total ruin of their country, they ſent Deputies to the Conſul to make their ſubmiſſion; who very willingly granted them pardon and peace. A. R. 614. Ant. C. 138.

On another ſide, Popillius, who had been continued in command in Hiſpania Citerior, according to the orders of the Senate, renewed the ſiege of Numantia. The inhabitants did not, according to their former cuſtom, march out to meet the Romans, and made no ſallies upon them, keeping cloſe within their walls, without appearing or making any motion. This continued for ſome days; which made the Proconſul believe that the beſieged, tired and diſguſted with their former loſſes, were entirely diſcouraged. In conſequence, he ordered his troops to apply ladders to the walls, in order to ſcale the city; which they did without delay, and with great ardor. The tranquility which ſtill continued in the city, without the appearance of any ſoldier upon the walls, gave Popillius ſome ſuſpicion, and he immediately gave orders for ſounding the retreat. The ſoldiers, who had flattered themſelves with carrying the city by aſſault, and inriching themſelves by the great plunder they ſhould find in it, obeyed but ſlowly, and with reluctance. It was at this inſtant that the beſieged ſallied through Frontin. Stratag. iii. 17.

A. R. 614. Ant. C. 138. different gates, threw down all who had mounted the ladders, vigorouſly attacked the reſt, who had not time to draw up in battle, and defeated part of the army.

A. R. 615. Ant. C. 137.

M. ÆMILIUS LEPIDUS.
C. HOSTILIUS MANCINUS.

Liv. Epit. App. 300. Mancinus came to complete the diſgrace of the Romans before Numantia. It is ſaid, that, when he ſet out from Italy, many ſiniſter omens foretold the misfortune that waited him: but the true omen was, his incapacity and want of courage. An author, of no great weight, does him the honour, however, to ſuppoſe, that he reſolved to re-eſtabliſh diſcipline amongſt his troops before he expoſed them to a battle. But it is certain, from the teſtimony of all Hiſtorians, that no action or ſkirmiſh paſſed in which the Numantines had not always the advantage; which ſenſibly augmented their boldneſs, and diſcouraged the Romans. This, at length, came to ſuch a pitch, that the Roman ſoldiers could neither ſupport the voice or ſight of a Numantine.

Appian. Liv. Epit. Plut. in Graccho.

Mancinus, in ſuch a ſituation, believed he could not do better than to quit his camp in the night, and to remove his troops, for ſome time, from Numantia, with the view of diſpelling their terror by degrees, and of giving them time to reſume the courage and boldneſs natural to the Romans. Appian ſays, a falſe report, that the Cantabrians and Vaccæi were coming to the aid of their countrymen, made him take this reſolution. However it were, he retired in the night with great ſilence. The Numantines being informed of his retreat, ſet out to only the number of four thouſand, purſued thoſe who fled without loſs of time, attacked them in the rear, made a great ſlaughter of them, and puſhed the reſt into very difficult places, from which there was almoſt no way to retire; and, though the Roman army conſiſted of above twenty thouſand men, they ſurrounded them in ſuch a manner,

Plut.

Liv. Epit.

ner, that it was impoſſible for them to extricate themſelves. This can hardly be conceived. A. R. 615. Ant. C. 137.

Mancinus, deſpairing of opening himſelf a way by force, ſent an herald to the Numantines to aſk ſome conditions. They anſwered, that they would confide only in Tiberius Gracchus, and demanded that he ſhould be ſent to them: he then ſerved under Mancinus in quality of Quæſtor, that is, of Treaſurer. This great confidence which they expreſſed for him was founded partly upon his perſonal merit; for the whole army reſounded with his name and virtues. It proceeded alſo from the remembrance of his father, who having formerly made war in Spain, and ſubjected ſeveral nations, had granted the Numantines peace, and had taken care that they ſhould enjoy it. Tiberius was accordingly ſent. He conferred with the principal officers of the enemy. The treaty was concluded. The particular articles are not known; but the conditions were equal between the two ſtates. The Numantines, taught by the example of Pompey's perfidy, took a precaution, which, however, proved of no great uſe to them: this was, to make the Conſul, Quæſtor, and principal officers, engage by oath to cauſe the treaty now made to be obſerved. When every thing was thus regulated, the Romans ſet out, leaving all the riches of their camp in the hands of the Numantines. Plut.

Amongſt the ſpoils were the regiſters of Tiberius, in which were the account of all the ſums received and expended whilſt he had been Quæſtor. As it was highly important for him to recover them, he left the army on its march, and went to Numantia, attended only by three or four of his friends. The Numantines received him perfectly well; treated him with all the marks of reſpect and amity, and forced him to accept of an entertainment with them: after which they returned him his regiſter, and preſſed him to take any part of the ſpoils that he thought fit. He accepted only incenſe, which he employed for the publick ſacrifices,

A. R. 615. Ant. C. 137. crifices, and reſumed the route of the army, well ſatisfied with his whole treatment by the Numantines.

Appian. As ſoon as the news of this treaty arrived at Rome, the Senate began by recalling Mancinus, and ordered him to return to the city to give an account of his conduct; and, at the ſame time, made Æmilius, his Collegue, ſet out, to take his place.

App. 302. As ſoon as Mancinus returned to Rome, his affair was examined in the Senate. He there modeſtly juſtified his conduct, partly imputing all the misfortunes that had happened to him to the bad condition in which he had found the army; inſinuating, that he might perhaps be allowed to aſcribe them alſo to the wrath of the Gods, incenſed that war had been declared againſt the Numantines without any viſible cauſe; and excuſing the treaty from the indiſpenſible neceſſity of conſenting to it, in order to preſerve the lives of above twenty thouſand citizens: that, for the reſt, contented with having rendered the Commonwealth that ſervice, he ſhould quietly expect the deciſion of his fate from the Senate, being ready to ſacrifice with joy his liberty and life to the utility and honour of his country. The Senate alſo gave audience to the Deputies of Numantia. But the beſt ſupport of this whole cauſe was Tib. Gracchus, who thought it very ſtrange, that it ſhould be made a crime in him to have preſerved the Commonwealth ſo great a number of citizens. He was ſeconded by all the relations and friends of thoſe who had ſerved in this war, that is, the greateſt part of the People. All of them extolled the greatneſs of the ſervice which Tiberius had rendered the State: and though they willingly gave up Mancinus, on whom alone they laid the infamy of this treaty, the intereſts of the Quæſtor were ſo cloſely united with thoſe of his General, that it was not poſſible but that the protection which Tiberius found amongſt the People, ſhould alſo have ſome effect in favour of Mancinus. The affair was not decided till the year following.

Whilſt

Whilſt all this paſſed at Rome, the Conſul M. Æmilius being arrived in Spain, and deſiring to ſignaliſe himſelf by ſome enterprize, made war againſt the Vaccæi, who were very quiet, and beſieged Pallantia, the ſtrongeſt place of the country. He aſſociated D. Brutus with himſelf in this project, who commanded in Hiſpania Ulterior in quality of Proconſul. They had already united their troops, when two Deputies of the Senate arrived from Rome with a decree, expreſly forbidding the Conſul to undertake any thing againſt the Vaccæi. He gave them the reaſons he had for attacking that people: and concluding that the good ſucceſs of his enterprize, which he conſidered as certain, would juſtify him entirely with the Senate, he obſtinately perſiſted in his ſcheme, which did not ſucceed as he had expected. A. R. 615. Ant. C. 137. Appian. 300—302.

The ſiege continued long, and the beſiegers began to be in want of proviſions. A conſiderable convoy was upon the point of arriving under the command of a General officer named Flaccus, when unfortunately the enemy iſſued ſuddenly from an ambuſcade where they waited for him, and ſurrounded him on all ſides. Flaccus would have periſhed there, with his whole detachment, but for a ſtratagem which happily came into his head. He ſpread a report throughout his troops, that the Conſul had at length made himſelf maſter of Pallantia. They raiſed great cries of joy, which infinitely diſcouraged the enemy; and upon that news, which they believed very true, they retired immediately. Flaccus, by the means of this happy lie, ſaved his convoy and detachment, and arrived in a manner triumphant in the camp.

But this ſupply was of no long duration, and famine began again to be felt ſo ſenſibly, that it every day deſtroyed a great number of beaſts and men. The Conſul was in deſpair, and made his troops decamp in the night. It is eaſy to conceive the diſorder and confuſion which muſt take place on ſo ſudden and precipitate a departure. The cries of the ſick and wounded, who in vain implored the help of their com-

A. R. 615. Ant. C. 137. rades, and loaded them with imprecations on ſeeing themſelves inhumanly abandoned to the mercy of the enemy, ſoon apprized the beſieged of the Conſul's nocturnal flight. They quitted the city in a body, and having come up with the flying troops before ſunriſe, they inceſſantly harraſſed them during the whole day, attacking them ſometimes in the rear, and ſometimes in the flanks. They might have deſtroyed the whole army, if they had continued the purſuit; but the approach of night obliged them to return home. The Roman troops eſcaped as they could, diſperſing themſelves on all ſides. Six thouſand men were loſt on this defeat.

Freinſhem. Brutus was the only one who conſoled Rome for this bad news, by the good ſucceſs he continued to have in Hiſpania Ulterior. He took above thirty towns, and carried his victorious arms as far as the ocean on the weſt. What did him moſt honour with the ſoldiers, was his paſſing the river Lethe. That name, by which one of the rivers of hell was called, and of which the Romans had never heard before, terrified them to ſuch a degree, that not one of them dared to approach it. Brutus, without the leaſt concern, ſnatched an enſign from one of the Vexillarii, and, crying out, "This enſign and your General will "ſoon be on the other ſide," he paſſed the river, and was followed by the whole army. He afterwards paſſed the Minius, one of the greateſt rivers of Luſitania. He found the people determined to defend themſelves well. The women themſelves fought with maſculine courage, and, when they were taken priſoners, killed themſelves and their children, preferring death to ſlavery: he, however, reduced them. It is ſaid, that having made them fall into ambuſcades, into which their raſh boldneſs precipitated them, he killed them fifty thouſand men, and took ſix thouſand. Theſe ſucceſſes acquired him the ſirname of Gallæcus, or Callaicus, conqueror of the people of Galicia.

Oroſ. v. 5.

P. Furius

P. FURIUS PHILUS. A. R. 616.
SEX. ATILIUS SERRANUS. Ant. C. 136.

As ſoon as the new Conſuls entered upon office, the Senate came to a determination in reſpect to Mancinus, and upon the treaty which he had concluded. The treaty was cancelled, as made without the authority of the Senate and People of Rome: and it was decreed, that all thoſe who had ſworn to the obſervance of it ſhould be delivered up to the Numantines. Two Tribunes took upon them to propoſe to the People the authorizing this decree of the Senate by their ſuffrages. App. 302. Cic. de Offic. iii. 109.

Mancinus, on this occaſion, made himſelf admired for his courage, and ſhewed himſelf as good and generous a citizen, as he had been a timorous General. When the law was propoſed by the Tribunes, conformably to the Senate's decree, he harangued the People in ſupport of it, though it was to prove fatal to himſelf: and in that renewed the example which had of old been ſet by Sp. Poſtumius, after the treaty of the Furcæ Caudinæ.

Tiberius did not pique himſelf upon the like generoſity. He ſeparated his cauſe from that of his General, and by his credit, his own and his friends ſollicitation, prevailed upon the People to authorize the Senate's decree only in part, and to condemn Mancinus only to be delivered up to the Numantines. Tiberius carried the thing much farther: he could not pardon the Senate the wrong he pretended they had done him; and the deſire of revenging himſelf did not a little contribute to thoſe turbulent and hazardous enterprizes which occaſioned ſo many misfortunes to the Commonwealth, and to himſelf an unhappy and deplorable death.

In conſequence of the People's decree, Mancinus was put into the hands of the Conſul P. Furius, to be carried to Spain, and delivered up to the Numantines by one of the heralds (Feciales) called Pater Patratus. Cic. de Orat. i. 181. App. ibid.

He

A. R. 616. Ant. C. 136. He was, accordingly, brought to the gates of Numantia naked, and bound hand and foot. But the Numantines refuſing to receive him, the Romans would not take him back; ſo that a man, who had been Conſul the year before, and at the head of a great army, paſſed the whole day between the camp and the city, abandoned by his own people, and rejected by the enemy; till, night being come, the Romans permitted him to enter the camp. He returned to Rome, and would have entered the Senate as uſually before; but that was oppoſed. P. Rutilius, one of the Tribunes of the People, pretended that he was no longer a citizen. The Tribune did not act in this manner out of ill-will, but becauſe he believed the thing contrary to the ſenſe of the laws. And indeed, thoſe who, after having been taken by the enemy, returned into their country, repoſſeſſed all the rights of which captivity had deprived them; and this is what was called Jus Poſtliminii. But * the Tribune repreſented, that, by immemorial tradition, whoever had been ſold by his father or the People, or delivered up to the enemy by the Fæcialis, ſhould have no ſhare in the privilege and right of return. It was neceſſary, that the authority of the People ſhould interfere; who reinſtated (rehabilitated) Mancinus, and declared that he ſhould always be conſidered as a citizen, and enjoy all the rights annexed to that condition. He even afterwards attained the Prætorſhip. Mancinus, to preſerve the remembrance of this event, cauſed a ſtatue to be erected, which repreſented him in the ſame circumſtance and attitude he was in when delivered up to the Numantines.

Plin. xxiv. 15.

Val. Max. iii. 7. The monuments of hiſtory come down to us, contain nothing either done or attempted by Furius againſt the Numantines. All that we know is, that he was a wiſe

* P. Rutilius Tribunus plebis de Senatu juſſit educi, quòd eum civem negaret eſſe: quia memoria ſic eſſet proditum, quem pater ſuus aut populus vendidiſſet, aut pater patratus dedidiſſet, ei nullum eſſe poſtliminium. Cic.

and

and moderate man; of which he gave a proof, in chuſing Q. Metellus and Q. Pompeius, both his enemies, and enemies to each other, for his Lieutenants. They had reproached him with having taken pains to acquire the command of the armies. He carried them with him, confiding in his own virtue, becauſe he did not fear to have witneſſes whom hatred might render very attentive in obſerving all that might admit of cenſure in his conduct. A. R. 616. Ant. C. 136.

SER. FULVIUS FLACCUS.
Q. CALPURNIUS PISO. A. R. 617. Ant. C. 135.

Nothing conſiderable paſſed under theſe Conſuls in Spain. The war which had ſubſiſted there ſo long, mortified and diſhonoured the Roman People exceedingly. After having conquered ſo many powerful nations, they had the grief and ſhame to ſee, for many years, all their efforts miſcarry before one city, and their armies almoſt entirely beaten, by enemies who, of themſelves, were very weak, and whom the incapacity only of their Generals had hitherto rendered formidable. To remedy ſuch great evils, they ſeriouſly thought of employing ſome perſon of known and experienced merit, whoſe ability might reinſtate the honour of the Commonwealth. There was no occaſion to deliberate long upon this choice. The Deſtroyer of Carthage ſeemed the only one capable of terminating the war of Numantia. Accordingly, when the queſtion was to elect magiſtrates for the enſuing year, Scipio having come into the field of Mars to ſollicit in favour of Fabius Buteo, his brother's ſon, who ſtood for the Quæſtorſhip, the Roman People elected him Conſul. * Thus we ſee him twice elected Conſul, and both times without aſking it, which was contrary to cuſtom, and very extraordinary; Cic. de Amicit. n. 11.

* Conſulatum petivit nunquam, factus eſt Conſul bis: primùm, ante tempus; iterum ſibi ſuo tempore, rēipublicæ penè ſerò: qui, duabus urbibus everſis inimiciſſimis huic imperio, non modò præſentia, verùm etiam futura bella delevit. CIC.

the

A. R. 617. Ant. C. 135. the firſt before the time in reſpect to age; the ſecond at the time, but almoſt too late for the Commonwealth, which, in the preceding years, had been in great want of ſuch a General. He was deſtined to deſtroy the two cities, which may be conſidered as the greateſt enemies of Rome, and thereby to acquire the glory not only of putting an end to preſent, but, alſo, of preventing future wars.

A. R. 618. Ant. C. 134.

P. CORNELIUS SCIPIO II.
C. FULVIUS FLACCUS.

Appian. 302, 303. Plut. in Apophthegm. 201.

Lots were not admitted to determine the provinces of the Conſuls: that of Spain was given to Scipio by the Senate. Abundance of citizens preſented themſelves voluntarily to ſerve under him: the Senate would not grant them that permiſſion, giving for reaſon, that it was the means to deſert Italy, and that Rome had many wars to ſuſtain at the ſame time. The revolted ſlaves in Sicily actually gave the Romans great employment. Beſides which, Spain ſeemed to have more occaſion for a General, than for troops, the legions commanded by preceding Conſuls having always remained there. Scipio was only permitted to raiſe ſuch aids as he could from the cities and States with which he had any particular ties. He drew together about four thouſand men of this kind, including a ſquadron of five hundred Emeriti (ſoldiers who had ſerved the uſual time) which he formed out of the choſen troops, attached to his perſon, and called "the ſquadron of friends." No ready money was given him: he had only aſſignments upon the revenues of the Commonwealth, not yet paid in. He was the more reconciled to this laſt article, as he could raiſe ſums from his own purſe and thoſe of his friends to ſupply his wants; but the refuſal of raiſing new troops affected him ſenſibly; thoſe which he was to find in Spain having been often defeated; and whether by the courage of the enemy, or their own cowardice,

cowardice, it was difficult to make them perform any good ſervice. A. R. 618. Ant. C. 134.

When Scipio arrived in Spain, he found the troops in a miſerable condition, with neither order, diſcipline, or reſpect for their officers, and abandoned entirely to luxury, idleneſs, and licentiouſneſs. He immediately conceived, that, before he could think of attacking and overcoming the enemy, it would be neceſſary to take pains for reforming his army; and it was to this that he devoted his whole care and application. App. 303. Frontin. Stratag. iv. 1.

He began by baniſhing every thing from the camp that tended only to the ſupport of luxury, the ſupernumerary ſuttlers and ſervants, eſpecially the proſtitutes, that were to the number of two thouſand. He cauſed a great number of carriages and carriage-beaſts to be ſold, which the ſoldiers uſed for moving their baggage, and retained only ſuch as were abſolutely neceſſary. He left them no other utenſils except ſpits, kettles, and pots, and no food but boiled or roaſted fleſh. He retrenched beds for eating, and ordered that they ſhould uſe none but a kind of * ſquab ſtuffed with ſtraw; and ſet them the example himſelf. He made them make long marches, laden with their baggage, proviſion of corn for fifteen or twenty days, and ſeven paliſades. He alſo made them dig trenches, plant paliſades, and raiſe walls; and demoliſhed the whole immediately after, propoſing no other end to himſelf but to enure them to fatigue; ſaying, "that thoſe † ought to be covered with dirt, who were afraid of being ſo with blood." He was preſent in perſon at all theſe exerciſes, and exacted labour and obedience with great ſeverity. He often ſaid, "that auſtere and rigid Generals were of great advantage to their armies; and indulgent ones, to the enemy: for, added he, the camps of the latter look gay, but the orders of the

* The Greek word properly ſignifies a bundle of leaves and twigs wrapt up in a cloth.

† Luto inquinari, qui ſanguine nollent, jubebantur. FLOR.

A. R. 618. Ant. C. 134. Generals are deſpiſed in them; thoſe of the others ſeem ſad and gloomy; but the troops are obedient and ready on every call in them."

Appian. 304—306. In a ſhort time the army entirely changed aſpect, and became quite different. He then approached Numantia; but would not attack thoſe terrible enemies till he had firſt ſeaſoned his troops for war by different expeditions againſt the neighbouring States. The whole campaign paſſed almoſt in this; and he did not think the time loſt, having put an end to the contempt the enemy had for his army, and enabled it to act againſt them with vigour at the proper time.

Salluſt. in bell. Jugurth. App. 306. After this he returned to Numantia, to go into winter-quarters. It was there Jugurtha, the grandſon of Maſiniſſa, joined him. Micipſa ſending an aid of elephants, with a great number of archers and ſlingers, put Jugurtha at the head of them, not out of conſideration for that young Prince, but, on the contrary, to rid himſelf of him, by expoſing him to the dangers of ſo hot a war as that of Spain, from whence he was in hopes that he would never return. He was deceived in his expectation, as we ſhall ſee in the ſequel.

Vell. ii. 9. Marius, who was one day to conquer Jugurtha, ſerved at this time with him under Scipio, who treated both with great marks of eſteem. He delighted to favour and cultivate riſing merit: rewards, praiſes, marks of particular friendſhip, were all employed to encourage the young warriors, and make them tread the paths of glory.

A. R. 619. Ant. C. 133.

P. MUCIUS SCÆVOLA.
L. CALPURNIUS PISO FRUGI.

This year was famous for the commotions excited by Ti. Gracchus on one ſide, and for the taking of Numantia on the other, which terminated a long and dangerous war. We ſhall treat, at preſent, only of the latter event.

Appian. The end and plan followed by Scipio, in reſpect to the Numantines, during the preceding campaign, and that

that now beginning, had been, and ſtill was, not to venture a battle with them, to damp the ardor of their courage, and to ſubdue them by famine in ruining their country, and endeavouring to intercept all their convoys. Only once he came to blows with them; becauſe his foragers, upon whom the Numantines had ſallied, were in danger. He forced them to fly, but did not purſue them, contenting himſelf with letting his ſoldiers ſee Numantines flying before them, which ſeemed almoſt a prodigy. The beſieged having ſeveral times demanded peace without effect, rightly perceived, that they could obtain it only ſword in hand, and, being almoſt in deſpair, they frequently offered Scipio battle, who conſtantly purſued his plan, without regard to their imputations of fear and cowardice. He often repeated, with praiſe, the ſaying of his father Paulus Æmilius, * "that battle ought not to be given except in effect of great neceſſity, or a very favourable occaſion." A. R. 619. Ant. C. 133.

To deprive the Numantines of all hope and reſource, he began a line of contravallation round their city. He had ſettled two camps, and given the command of the one to his brother Fabius, reſerving that of the other to himſelf. Part of the army was employed in carrying on the works, and the other in defending the workmen. Numantia was ſituated upon an hill, and was about twenty-four Stadia in circumference, that is, almoſt a league. The line of contravallation was twice as large. The workmen had orders, when they were attacked by the enemy, to make a ſignal immediately, in the day-time by holding up a purple caſſock on the end of a pike, and in the night by fire; in order that aid might be inſtantly ſent them. Appian. 306—308.

When this work was finiſhed, a ſecond, not far from it, was began. A trench was dug, ſtrengthened with paliſades, and a wall was erected, eight feet thick and ten high, without including the battlements.

* (Negabat Paulus) bonum Imperatorem ſignis collatis decertare, niſi ſumma neceſſitudo, aut ſumma ei occaſio data eſſet. AUL. GELL. xiii. 3.

This

A. R. 619. Ant. C. 133. This wall was flanked with towers from ſpace to ſpace throughout its whole extent. In a moraſs, through which the line of the wall ran, he cauſed a mole to be made of the ſame thickneſs and height. Appian ſays, that Scipio was the firſt who ſurrounded a city in this manner with lines, that did not decline a battle.

The river Durius (now the Duero, or Douro) remained, which running along the walls, was a great ſupport to the city, and afforded means for bringing proviſions and troops into it. The men entered it without being perceived, either by diving, or in ſmall boats, which carried them to it in a rapid manner, either by the help of ſails or oars. Appian ſays, that the river was too broad and rapid for laying a bridge over it; which it is not eaſy to conceive, as Numantia was ſituated at no great diſtance from the ſource of the Durius. However that were, according to him, Scipio uſed the following expedient for ſhutting up that river. He built two forts on the oppoſite banks, from which he laid a bar of long and ſtrong beams, made faſt at the two ends with great cables. Thoſe beams were armed with long ſpikes of iron, which being perpetually agitated by the motion of the water, ſhut up the paſſage againſt ſwimmers and divers, and ſuch as were for approaching in barks.

By all theſe works Scipio made it impoſſible for the beſieged to receive either proviſions, ſuccours, or advices, and kept them entirely ignorant of what paſſed without.

When all was compleated, and he had placed all kinds of machines in the towers, ſupplied the walls with ſtones, darts, and javelins, and with archers and ſlingers in the two forts; he poſted ſoldiers throughout the whole extent of the intrenchments, at no great diſtance from each other, who, night and day, were to inform the ſentinels next them of all that paſſed, and came to their knowledge. Each tower had orders, as ſoon as it ſhould be attacked, to make the ſignal agreed upon, and all the reſt immediately to do the ſame.

ſame. Thus the ſignal of the tower gave notice that ſome movement was making, and the ſentinels that gave advice told the cauſe and particulars. A. R. 619. Ant. C. 133.

The army, including the auxiliary troops which Scipio had drawn together from the States of Spain in alliance with the Romans, conſiſted of ſixty thouſand men. Half of them were employed in guarding the walls; twenty thouſand to fight when neceſſary, and ten thouſand to relieve and ſupport the latter. Every one had his poſt and duty aſſigned him; and the orders received were immediately executed.

The Numantines frequently attacked thoſe who guarded the walls at different places: but the defence was as ſudden as the aſſault: for the ſignals were given on all ſides; the ſentinels who gave advice were immediately in motion; the ſoldiers deſtined for battle marched that moment towards the part of the wall which was attacked; and the trumpets from the tops of all the towers animated the combatants. Thus the whole extent of the lines, which was fifty ſtadia (more than two leagues) ſpread terror by all this motion and noiſe; and Scipio did not fail to viſit every part of them every day and night. He rightly judged, that the enemy, ſhut up in this manner, could not long hold out againſt him: and he ſo firmly aſſured himſelf of reducing them by famine, that having an opportunity of cutting a body of the Numantines in pieces, who had ſallied in order to forage, he reſolved to let them re-enter the city; ſaying, the more there was of them the ſooner their proviſions would be conſumed.

Notwithſtanding all theſe precautions, a Numantine, a man of ſenſe and courage, called Rhetogenes Caraunius, taking advantage of a dark and cloudy night, found means, with ſome friends, to paſs over the walls by the help of ladders, which they carried with them, and to repair to the ſeveral cities of the Arvaci, to implore their aid in favour of the Numantines, their neighbours and brethren, reduced to the laſt extremity, and menaced with the moſt dreadful misfortunes. But the whole country was in ſo great App. 308.

A. R. 619. Ant. C. 133. terror, that they would not ſo much as hear Rhetogenes; and wherever he applied, he was ordered to retire immediately.

App. 308. He was received favourably only at Lutia, a conſiderable city, ſituated twelve leagues from Numantia. The youth intereſting themſelves warmly for the Numantines, occaſioned aid to be promiſed them. The elders, who had been of a different opinion, gave Scipio ſecret advice of this without loſs of time. The Roman was no leſs expeditious on his ſide. It was two in the afternoon when he received the news; and the next day, before ſun-riſe, he was before the city with a great body of troops. He demanded that the principal perſons of the youth ſhould be delivered up to him. Upon being anſwered that they had eſcaped, he threatened to ſtorm the place. It was neceſſary to obey: four hundred of them were ſent to him, whoſe hands he cauſed to be cut off. He ſet out directly on his return, and the next day re-entered his camp at day-break.

I ought not to omit here a new inſtance of Scipio's generoſity and diſintereſtedneſs, though it has no other relation to the war with the Numantines, than having agreed with it in point of time. Whilſt that General was incamped before Numantia, conſiderable preſents came to him from Antiochus Sidetes, according to Livy's epitome; or from Attalus, according to Cicero. It was then the cuſtom with the Generals to conceal this kind of preſents, and convert them to their own advantage: but Scipio, who was much above ſo mean an avidity, would receive them in preſence of the whole army; he cauſed them to be entered in the Quæſtors accounts, and declared, that he would employ them to reward thoſe who ſhould diſtinguiſh themſelves by their bravery.

Epit. 57. Cic. pro Dej. n. 14.

App. 309. In the mean time, famine reduced the Numantines to extremity. They deputed ſix of their citizens to Scipio, to obtain favourable conditions of him. Abaru was at their head, and ſpoke. "He began by highly extolling the courage and greatneſs of ſoul of the Numantines

mantines, of which he gave for proof all the calamities they had hitherto ſuffered in defence of their liberty. He added, that Scipio could not but honour virtue wherever he found it, and ſpare a people who undoubtedly merited his eſteem. That the grace he came to demand for that People, who were ready to ſurrender themſelves to the Romans, was either to treat them with humanity, or to ſuffer them to periſh glorioufly in battle ſword in hand." Such lofty diſcourſe was not proper for exciting compaſſion. Scipio replied in few words, "That the only condition he could grant them was, that they ſhould abandon themſelves entirely to the diſcretion of the Romans, and deliver up all their arms." A. R. 619. Ant. C. 133.

The Numantines, accuſtomed to a kind of ſavage liberty, which rendered them incapable of bearing any yoke, were naturally very violent and outrageous; and the extremity of the calamities which they had long ſuffered, had made them ſtill more fierce. Scipio's anſwer, when reported, put them into a fury, and threw them into a kind of madneſs that made them no longer maſters of themſelves. In their deſpair they fell upon Abarus, who brought them this mournful anſwer, and imagining that, for the ſake of his private intereſt with Scipio, he had neglected and betrayed thoſe of the city, they maſſacred him, with the other Deputies. App. 309.

They ſeveral times attempted to make ſallies, but always ineffectually. Scipio perſiſted firmly in his reſolution not to hazard a battle. In the mean time, famine made dreadful havock in the city. After having exhauſted all the reſources which extreme neceſſity ſuggeſts in times of ſuch miſery, they at length came to eating human fleſh; and deſpair ſtifling, in many, all ſenſe of humanity, the weak became the prey of the ſtrongeſt, who were not afraid, for prolonging a miſerable life for a few moments, to kill and devour their fellow-creatures and citizens. App. 310.

They were no longer men, but ſpectres: ſo much had miſery, hunger, ſickneſs, and all manner of evils Ibid.

A. R. 619. Ant. C. 133. united, effaced their aſpects, and given their whole appearance an haggard and diſtracted look. At length they ſurrendered to Scipio; who ordered them, the ſame day, to bring to him all their arms. They aſked ſome delay as a favour; many not being able to reſolve to ſacrifice their liberty, and deſiring to die free in their yet free country, killed themſelves. Scipio granted them two days. Rhetogenes, of whom we have ſpoke before, the richeſt and moſt powerful of the citizens, occupied the fineſt quarter of the city. He ſet it on fire, and having drawn together all ſuch as, like himſelf, were ardent for their liberty, he put ſwords into their hands to kill each other in ſingle combat, and, in that manner, to die like brave men. He concluded this barbarous ceremony by ſtabbing App. 311. himſelf, and leaping into the flames. The third day, thoſe who remained repaired to the place aſſigned them. Scipio reſerved only fifty of them for his triumph, ſold all the reſt, entirely demoliſhed the city, and diſtributed the territory of Numantia amongſt the neighbouring people. That unfortunate city was, however, rebuilt afterwards, as mention is made of it in the Geographers of later times. The ruins of it were ſtill to be ſeen in Mariana's time.

The news of the taking of Numantia occaſioned great joy at Rome. The uſual thankſgivings were made to the Gods, and the Senate nominated ten Deputies to regulate the affairs of Spain, in concert with Brutus and Scipio. Thoſe two Generals being returned to Rome the year following, triumphed, the firſt over the Gallicians and Luſitanians, People of Hiſpania Citerior. Brutus aſſumed the ſurname of Callaicus: Scipio added to the ſurname of Africanus, which he bore already with a double title, that of Numantinus.

The Numantines are a fine example of what loftineſs of courage is capable, when ſuſtained by an ardent love of liberty. At the beginning of the war there were only eight thouſand men in the city that bore arms. However, with that ſmall number, for how

how many years did they make head againſt the Romans! How often did they beat their Generals! What misfortunes and diſgraces did they not make them ſuffer! Even in this laſt year, Scipio, at the head of ſixty thouſand men, ſeemed ſtill to fear them in ſome meaſure, and would never hazard a battle, which they offered him more than once. This was wiſdom in him. That great man, ſure of gaining a compleat victory over them by the means of time only, would not advance it a few days at the expence of his ſoldiers blood, which he thought himſelf obliged to ſpare, as a good father does his children. But, at the ſame time, a great proof of the courage of the Numantines was, Scipio's circumſpection in reſpect to them with ſo great a ſuperiority of forces. A. R. 619. Ant. C. 133.

There is no one, I believe, who is not moved with compaſſion for the deplorable fate of this brave People, whoſe whole crime was not being willing to ſubmit to the ſway of an ambitious Commonwealth, that pretended to give laws to the univerſe. Florus plainly affirms, that the Romans never made a more unjuſt war than that againſt Numantia. But if the teſtimony of that writer, who was a Spaniard by origin, and of a warm imagination, is to be rejected, at leaſt it is certain, that the Numantines, during the courſe of the war, ſeveral times made reaſonable propoſals of peace, and ſhewed more frankneſs and regard for juſtice than the Romans. It therefore does not ſeem eaſy to juſtify the entire ruin of that city. I am not ſurprized that Rome deſtroyed Carthage. That State was a rival which had rendered itſelf formidable, and might have become more ſo, if ſuffered to ſubſiſt. But the Numantines were not in a condition to make the Romans apprehend the ruin of their empire: and I do not ſee that Cicero * had any foundation for comparing them with the Cimbri, who came to invade Italy. Anger, and the ſpirit of revenge, ſeem to have led the Romans

* Sic cum Celtiberis, cum Cimbris bellum, ut cum inimicis, gerebatur, uter eſſet, non uter imperaret. Cic. de Offic. i. 38.

A. R. 619. Ant. C. 133. into the reſolution they took to deſtroy Numantia; or, perhaps, the policy of conquerors. They were for ſhewing, by a ſignal example, that every city and people, which reſiſted them obſtinately, had nothing to expect but entire ruin.

PRIVATE LIFE of SCIPIO AFRICANUS.

THE taking of Numantia, which terminated a war that diſgraced the Roman name, compleated Scipio's military exploits. But, in order to have a more perfect idea of his merit and character, it ſeems that, after having ſeen him at the head of armies, in the tumult of battles, and in the pomp of triumphs, it will not be loſt labour to conſider him in the repoſe of a private life, in the midſt of his friends, family, and houſhold. The truly great man ought to be ſo in all things. The Magiſtrate, General, and Prince, may conſtrain themſelves, whilſt they are in a manner exhibiting themſelves as ſpectacles to the publick, and appear quite different from what they really are. But, reduced to themſelves, and without the witneſſes who force them to wear the maſk, all their luſtre, like the pomp of the theatre, often abandons them, and leaves little more to be ſeen in them than meanneſs and narrowneſs of mind.

Scipio did not depart from himſelf in any reſpect. He was not like certain paintings that are to be ſeen only at diſtance: he could not but gain by a nearer view. I ſhall not repeat in this place what I have ſaid before, of the generous manner in which, while very young, he acted in his family; of that noble diſintereſtedneſs which acquired him ſo great a reputation; and, which does not ſeem leſs eſtimable, of that * ſincere and conſtant reſpect for his brother, becauſe the elder, notwithſtanding the ſuperiority of his own merit, that placed him infinitely above him.

* Scipio Q. Maximum fratrem, omnino ſibi nequaquam parem, quòd is anteibat ætate, tanquam ſuperiorem colebat. CIC. de Amic. 69.

The

The excellent education which he had had, through the care of his father Paulus Æmilius, who had provided him with the moſt learned maſters of thoſe times, as well in polite learning as the Sciences, and the inſtructions he had received from Polybius, enabled him to fill up the vacant hours he had from publick affairs profitably, and to ſupport the leiſure of a private life with pleaſure and dignity. This is the glorious teſtimony given of him by an hiſtorian: "No-body * knew better how to mingle leiſure and action, nor to uſe the intervals of reſt from public buſineſs with more elegance and taſte. Divided between arms and books, between the military labours of the camp, and the peaceful occupations of the cloſet, he either exerciſed his body in the dangers and fatigues of war, or his mind in the ſtudy of the ſciences."

The firſt Scipio Africanus uſed to ſay, † That he was never leſs idle than when at leiſure, nor leſs alone than when alone. A fine ſaying, cries Cicero, and well worthy of that great man. And it ſhews that, even when inactive, he was always employed; and that when alone he knew how to converſe with himſelf. § A very extraordinary diſpoſition in perſons accuſtomed to motion and agitation, whom leiſure and ſolitude, when they are reduced to them, ‡ plunges into a diſguſt for every thing, and fills with melancholy; ſo that they are diſpleaſed in every thing with themſelves, and ſink "under the heavy burthen of having nothing to do." This ſaying of the firſt Scipio ſeems to me to ſuit the Second ſtill better, who having the advantage of the other by being educated in a taſte for polite learning and the ſciences, found Boileau.

* Neque enim quiſquam hoc Scipione elegantius intervalla negotiorum otio diſpunxit: ſemperque aut belli aut pacis ſerviit artibus; ſemper inter arma ac ſtudia verſatus, aut corpus periculis, aut animum diſciplinis exercuit. VELL. PATERC. i. 13.

† Nunquam ſe minus otioſum eſſe, quàm cùm otioſus; nec minus ſolum, quàm cùm ſolus eſſet. De Offic. iii. 1.

§ Itaque duæ res, quæ languorem afferunt ceteris, illum acuebant, otium & ſolitudo. Ibid.

‡ Hinc illud eſt tædium, & diſplicentia ſui & nuſquam reſidentis animi volutatio, & otii ſui triſtis atque ægra patientia. SENEC. de tranq. anim. ii.

in that a great reſource againſt the inconvenience of which we have been ſpeaking. Beſides which, having uſually Polybius and Panætius with him, even in the field, it is eaſy to judge that his houſe was open, in times of peace, to all the Learned. Every body knows, that the comedies of Terence, the moſt accompliſhed work of that kind Rome ever produced, for natural elegance and beauties, are aſcribed to him and Lælius, of whom we ſhall ſoon ſpeak. It was publickly enough reported, that they aſſiſted that poet in the compoſition of his pieces; and Terence himſelf makes it an honour to him in the prologue to the Adelphi. I ſhall undoubtedly not adviſe any body, and, leaſt of all, perſons of Scipio's rank, to write comedies. But on this occaſion let us only conſider taſte in general for letters. Is there a more ingenuous, more affecting pleaſure, and one more worthy of a wiſe and virtuous man, I might perhaps add, or one more neceſſary to a military perſon, than that which reſults from reading works of wit, and the converſation of the Learned? * Providence thought fit, according to the obſervation of a Pagan, that he ſhould be above thoſe trivial pleaſures, to which perſons without letters, knowledge, curioſity, and taſte for reading, are obliged to give themſelves up.

Another kind of pleaſure, ſtill more ſenſible, more warm, more natural, and more implanted in the heart of man, conſtituted the greateſt felicity of Scipio's life: this was that of friendſhip; a pleaſure ſeldom known by great perſons and Princes; becauſe, generally loving only themſelves, they do not deſerve to have friends. However, this is the moſt grateful tie of human ſociety; ſo that ‡ the poet Ennius ſays with great reaſon, that to live without friends, is not to live. Scipio had undoubtedly a great number of

* Quanto plus delectationis habiturus, quàm ex illis ineruditis voluptatibus! Dedit enim hoc Providentia munus hominibus, ut honeſta magis juvarent. QUINTIL. i. 11.

‡ Cui poteſt vita eſſe vitalis, qui non in amici mutua benevolentia conquieſcat? De Amicit. 22.

them,

them, and thoſe very illuſtrious: but I ſhall ſpeak here only of Lælius; whoſe probity and prudence acquired him the ſurname of the Wiſe.

Never, perhaps, were two friends better ſuited for each other than thoſe great men. They were almoſt of the ſame age, and had the ſame inclination, benevolence of mind, taſte for learning of all kinds, principles of government, and zeal for the publick good. Scipio, no doubt, took place in point of military glory; but Lælius did not want merit of that kind; and Cicero tells us, that he ſignalized himſelf very much in the war with Viriathus. * As to the talents of the mind, the ſuperiority, in reſpect of eloquence, ſeems to have been given to Lælius; though Cicero does not agree that it was due to him, and ſays, that Lælius's ſtile ſavoured more of the antient manner, and had ſomething leſs agreeable in it, than that of Scipio.

Let us hear Lælius himſelf (that is, the words Cicero puts into his mouth) upon the ſtrict union which ſubſiſted between Scipio and him. "† As for me, ſays Lælius, of all the gifts of nature or fortune, there are none I think comparable to the happineſs of having Scipio for my friend. I found in our friendſhip a perfect conformity of ſentiments in reſpect to publick affairs; an inexhauſtible fund of counſels and ſupports in private life; with a tranquility and delight not to be expreſſed. I never gave Scipio the leaſt offence, to my knowledge, nor ever heard a word eſcape him that did not pleaſe me. We had but one houſe Cic. de Amicit. 103, 104.

* De ipſius Lælii & Scipionis ingenio, quanquam ea jam eſt opinio ut plurimum tribuatur ambobus, dicendi tamen laus eſt in Lælio illuſtrior—ſed multo vetuſtior & horridior ille, quàm Scipio. BRUT. 83.

† Equidem ex omnibus rebus, quas mihi aut fortuna aut natura tribuit, nihil habeo quod cum amicitia Scipionis poſſim comparare. In hac mihi de rep. conſenſus; in hac rerum privatarum conſilium; in eadem requies plena oblectationis fuit. Nunquam illum ne minimâ quidem re offendi, quod quidem ſenſerim: nihil audivi ex eo ipſe, quod nollem. Una domus erat, idem victus, iſque communis. Neque ſolum militia, ſed etiam peregrinationes ruſticationeſque communes. Nam quid ego de ſtudiis dicam cognoſcendi ſemper aliquid & diſcendi, in quibus remoti ab oculis populi omne otioſum tempus contrivimus?

and

and one table at our common expence, the frugality of which was equally the taſte of both. In war, in travelling, in the country, we were always together. I do not mention our ſtudies, and the attention of us both always to learn ſomething; this was the employment of all our leiſure hours, removed from the ſight and commerce of the world."

Is there any thing comparable to a friendſhip like that which Lælius has juſt deſcribed? "What a conſolation is it to have a ſecond ſelf, to whom we have nothing ſecret, and into whoſe heart we may pour out our own with perfect effuſion *! Could we taſte proſperity ſo ſenſibly, if we had no one to ſhare in our joy with us? And what a relief is it in adverſity, and the accidents of life, to have a friend ſtill more affected with them than ourſelves?" What highly exalts the value of the friendſhip we ſpeak of, was its not being founded at all upon intereſt, but ſolely upon eſteem for each other's virtues. "What occaſion, ſays Lælius, could Scipio have of me? †Undoubtedly none; nor I of him. But my attachment to him was the effect of my high eſteem and admiration of his virtues; and his to me, from the favourable idea he had of my character and manners. This friendſhip increaſed afterwards on both ſides, by habit and commerce. We both indeed derived great advantages from it: but thoſe were not our view, when we began to love each other."

An amity founded on ſuch principles, eſpecially between perſons at the head of the moſt important affairs of the State, muſt have been very grave and ſerious. It undoubtedly was ſo, when occaſions re-

* Quid dulcius, quàm habere quicum audeas ſic loqui, ut tecum? Quis eſſet tantus fructus in proſperis rebus, niſi haberes qui illis, æquè ac tu ipſe, gauderet? Adverſas verò ferre difficile eſſet ſine eo qui illas etiam gravius, quàm tu, ferret. De Amicit. 22.

† Quid enim Africanus indigens mei? minimè hercle: ac ne ego quidem illius. Sed ego admiratione quadam virtutis ejus: ille viciſſim opinione fortaſſe nonnulla, quam de meis moribus habebat, me dilexit. Auxit benevolentiam conſuetudo. Sed, quanquam utilitates multæ & magnæ conſecutæ ſunt, non ſunt tamen ab earum ſpe cauſa diligendi profectæ. De Amicit. 30.

quired

quired it: but at other times it was attended with a gaiety and innocent mirth not eaſily conceived. * When eſcaped from the city, as from a priſon, they went to breathe at liberty in the country, it is incredible how thoſe great men would play like boys together. They uſed to gather ſhells, and little round and flat ſtones upon the coaſt of the ſea, and deſcend to the moſt ſimple games, with no other view but to unbend themſelves. Such amuſements in perſons of their merit argue a candour, ſimplicity, and innocence of manners that cannot be too much eſteemed.

I cannot place the famous embaſſy of Scipio Africanus into the Eaſt and Egypt better than here: we ſhall ſee the ſame taſte of ſimplicity and modeſty, as we have juſt been repreſenting in his private life, ſhine out in it. It was a maxim with the Romans frequently to ſend Ambaſſadors to their allies to take cognizance of their affairs, and to accommodate their differences. It was with this view that three illuſtrious perſons, P. Scipio Africanus, Sp. Mummius and L. Metellus, were ſent into Egypt, where Ptolomy Phyſcon then reigned, the moſt cruel tyrant mentioned in hiſtory. They had orders to go from thence to Syria, which the indolence, and afterwards the captivity, of Demetrius Nicator amongſt the Parthians, made a prey to troubles, factions, and revolts. They were next to viſit Aſia Minor, and Greece, to inſpect into the affairs of thoſe countries, to enquire in what manner the treaties made with the Romans were obſerved, and to remedy, as far as poſſible, all the diſorders that ſhould come to their knowledge. They acquitted themſelves with ſo much equity, wiſdom, and ability, and did ſuch great ſervices to thoſe to whom they were ſent, in re-eſtabliſhing order amongſt them, and in accom-

Freinſhem. Suppl. liii. 19.

A. R. 603.

* Sæpe ex ſocero meo audivi (it is Craſſus that ſpeaks) cùm is diceret ſocerum ſuum Lælium ſemper ferè cum Scipione ſolitum ruſticari, eoſque incredibiliter repueraſcere eſſe ſolitos, cùm rus ex urbe, tanquam è vinculis, evolaviſſent. Non audeo dicere de talibus viris, ſed tamen ita ſolet narrare Scævola, conchas eos & umbilicos ad Cajetam & ad Laurentum legere conſueſſe, & ad omnem animi remiſſionem, ludumque deſcendere. De Orat. ii. 22.

modating

modating their differences, that, when they returned to Rome, Ambaſſadors arrived there from all the parts in which they had been, to thank the Senate for having ſent perſons of ſuch great merit to them, whoſe wiſdom and goodneſs they could not ſufficiently commend.

The firſt place to which they went, according to their inſtructions, was Alexandria. The King received them with great magnificence. As for them, they affected it ſo little, that at their entry Scipio, who was the richeſt and moſt powerful perſon of Rome, had only one friend, the philoſopher Panætius, with him, and five domeſticks. * His victories, ſays an antient writer, and not his attendants, were conſidered; and his perſonal virtues and qualities were eſteemed in him, and not the glitter of gold and ſilver.

Though, during their whole ſtay in Egypt, the King cauſed their table to be covered with the moſt exquiſite proviſions of every kind, they never touched any but the moſt ſimple and common, deſpiſing all the reſt, which only ſerve to ſoften the mind, and enervate the body. But, on ſuch occaſions, ought not the Ambaſſadors of ſo powerful a State as Rome to have ſuſtained its reputation and majeſty in a foreign nation, by appearing in publick with a numerous train and magnificent equipages? This was not the taſte of the Romans, that is, of the People of the whole earth, that thought the moſt juſtly of true greatneſs and ſolid glory.

When the Ambaſſadors had fully gratified their curioſity in ſeeing Alexandria, and had compleated the affairs which brought them thither, they went up the Nile, to viſit Memphis, and the other parts of Egypt. They either ſaw with their own eyes, or knew from exact informations taken upon the ſpot, the great number of towns, and the prodigious mul-

* Non mancipia ejus, ſed victoriæ numerabantur: nec, quantum auri & argenti, ſed quantum amplitudinis pondus ſecum ferret, æſtimabatur. VAL. MAX. iv. 3.

titude

titude of inhabitants, which that State contained; the ſtrength its happy ſituation gave it; the fertility of its ſoil, and all the other advantages it enjoyed. They perceived, that it wanted nothing to make it powerful and formidable, but a prince of capacity and application; for Phyſcon, who then reigned, was nothing leſs than a King. I have given his character, after Juſtin, in the Ancient Hiſtory. His belly was of ſo enormous a bigneſs, that he could not carry the load of fleſh which his intemperance had produced, and never appeared in public but in a chariot. He, however, made an effort to accompany Scipio. The latter, turning towards Panætius, ſaid to him ſmiling, "The Alexandrians are obliged to us for ſeeing their "King on foot." What a contraſt is there between this Prince, abandoned to all manner of vices, and Scipio, the model of wiſdom and virtue! Accordingly, Juſtin ſays, that, inſtead of being, like Phyſcon, the object of his ſubjects contempt, Scipio, whilſt he gratified his curioſity in viſiting whatever was worthy of it in Alexandria, was himſelf a ſight to the whole city. *Dum inſpicit urbem, ſpectaculo Alexandris fuit.*

SECT. II.

Affairs that happened at Rome. Cenſors. Generous conſtancy of the Tribunes of the People againſt one of their own Collegues. Cenſus. Death of Cato's ſon, and of Lepidus, the Pontifex Maximus. Galba, accuſed by Cato, is acquitted. Condemnation of Tubulus. Severe ſentence of Manlius Torquatus againſt his ſon. Scipio Africanus accuſed. He accuſes Cotta; who is acquitted. Singular Conduct of Lælius in a pleading. Change in the government in reſpect to the Prætors. Cenſorſhip of Scipio. New ſuperſtitions proſcribed. Law Calpurnia againſt extortions. Sumptuary laws paſſed at different times concerning the expences of the table. Abuſe of the publick ſchools of ſaltation. Law Licinia concerning the election of Pontiffs. Scrutinies introduced at Rome in the election of the Magiſtrates. The method of ſcru-

tiny

tiny is alſo introduced in trials: then in the paſſing of laws: and laſtly, in trial of State criminals. Wars abroad. Appius Claudius makes war againſt the Salaſſi, and triumphs by the aid of his daughter, a veſtal. The Ardyæni defeated, and ſubjected to the Romans. War of the ſlaves in Sicily. War with Ariſtonicus.

I HAVE omitted many detached facts in the courſe of hiſtory, which happened during the third Punic war, and that of Numantia. I proceed to relate them here, before I go on farther.

AFFAIRS that happened at ROME.

A. R. 598. Val. Max. ii. 9. M. Valerius Meſſala, and C. Caſſius Longinus, were created Cenſors the 598th year of Rome. The former had been degraded by the Cenſors ſome years before: but he made ſo good an uſe of that diſgrace, that he rendered himſelf worthy of the Cenſorſhip in the conſequence.

Val. Max. vi. 5. Whilſt Meſſala obliterated, in this manner, his paſt ignominy, by the new honours paid to his virtue, L. Cotta, Tribune of the People, diſhonoured the office he held, by a conduct highly unworthy of a magiſtrate. Abuſing the authority of the Tribuneſhip, which protected him from being ſued by his creditors, he abſolutely refuſed to pay them. His Collegues, inraged that he ſhould make ſo venerable and ſacred an office an aſylum for his avarice and injuſtice, all roſe up againſt him, and declared, that if he did not pay his debts, or give ſecurity for doing ſo, they would join with his creditors to reduce him to reaſon. Would it not be highly contrary to juſtice, that no officer ſhould dare to ſignify a proceſs to a magiſtrate in a conſiderable office?

A. R. 599. The Luſtrum, which was cloſed under the Cenſors of whom we have juſt ſpoke, was the fifty-fifth. The citizens were found by the Cenſus to amount to three hundred and twenty-four thouſand.

The

The following year Cato loſt his ſon, who was then Prætor, and very dear to him. He might have conſidered himſelf as doubly his father; becauſe, beſides life, he had given him his education, which he would confide to nobody but himſelf; having been his tutor both in literature, the ſtudy of the laws, and even the exerciſes of the body. Our manners make this almoſt incredible. But Plutarch poſitively affirms, that Cato himſelf taught his ſon to dart the javelin, to fence, to ride, to charge, to bear heat and cold, and to paſs the moſt rapid rivers by ſwimming. He had been at the trouble of writing hiſtories for him, and in large characters, with his own hand; being deſirous that his ſon might not want ſo great an advantage as the knowledge of the antient deeds of his countrymen. He never let a word eſcape him in his preſence, that was in the leaſt repugnant to morality, and with as much caution as he would have obſerved before the veſtal virgins. So much care and pains ſucceeded perfectly: and Plutarch obſerves, that Cato ſpoke of his ſon in his works, as an excellent perſon, and one equally diſtinguiſhed by civil and military virtues. That young man was very happy in marriage; for which he was as much indebted to his own merit, as his father's reputation. His wife was Tertia, the daughter of Paulus Æmilius, and ſiſter of the ſecond Scipio Africanus: he left children at his death. His father was extremely afflicted by it, but, however, bore that misfortune with all the conſtancy of a philoſopher, and did not loſe a ſingle moment of his application to the publick affairs on that account. As he was always an enemy to empty pomp, and vain expences, his funeral was only plain and decent. A. R. 600. Plut. in Cat.

The ſame year died alſo the great Pontiff M. Æmilius Lepidus. He had in his will forbad any magnificent obſequies to be made for him; deſpiſing, as well as Cato, the uſeleſs oſtentation of expence in the funerals of great perſons. P. Cornelius Scipio Naſica was elected Pontifex Maximus in his room. Epit. Liv.

At

At the interval I am now upon I find there were ſeveral remarkable trials, which I proceed to relate in their order.

A. R. 603. The firſt that occurs is that of Galba, accuſed before the People for the horrid maſſacre of the Luſitanians, with equal perfidy and cruelty. L. Scribonius Libo, Tribune of the People, was his accuſer. But a more formidable adverſary, Cato, who, after his Conſulſhip which he had paſſed in Spain, had declared himſelf the defender and patron of that province, joined the Tribune, and ſupported him with all his credit and eloquence. According to Livy he was then * ninety years old: but his zeal for the publick good and juſtice animated him, and he had ſtill ſufficient ſpirits to harangue the People, and to exhort them not to ſuffer the crime to go unpuniſhed.

Cic. de Orat. 227, 288. Brut. 89, 90. Val. Max. viii. 1.

Galba was one of the moſt illuſtrious Orators of his time; of which we ſhall ſoon cite a proof. His principal excellency was in moving the paſſions, in which eloquence diſplays itſelf moſt, and exerciſes its greateſt power over the mind. His crime was notorious, and drew upon him general indignation. But his judges were the multitude, that eaſily paſs from one extremity to another, and with whom opinion frequently takes place of reaſon. He took the advantage of this propenſity, and ſpared no pains to mollify the People, and move their compaſſion. Accordingly, in his defence he endeavoured to diſguiſe the fact as much as poſſible. But † his principal reſource was a ſight,

* According to Cicero he lived but to the age of eighty-five.

† Reprehendebat Galbam Rutilius, quòd is C. Sulpicii Galli, propinqui ſui, Q. pupillum filium ipſe penè in humeros ſuos extuliſſet, qui patris clariſſimi recordatione & memoria fletum populo moveret, & duos filios ſuos parvos tutelæ populi commendaſſet, ac ſe, tanquam in procinctu teſtamentum faceret, ſine libra atque tabulis populum Romanum tutorem inſtituere dixiſſet illorum orbitati. Itaque cùm & invidia & odio populi tum Galba premeretur, his quoque eum tragediis liberatum ferebat. Quod item apud Catonem ſcriptum video: Niſi pueris & lacrymis uſus eſſet, pœnas eum daturum fuiſſe. De Orat. i.

Eo facto mitigata concione, qui omnium conſenſu petiturus erat, penè nullum triſte ſuffragium habuit. VAL. MAX.

which

which he preſented to the eyes of the judges. C. Sulpicius Galba, his near relation, a Senator univerſally eſteemed, had by his will appointed him guardian of a ſon of very tender years at his death. He made him appear in the Forum, carrying him almoſt upon his own ſhoulders; bringing with him, at the ſame time, his own two ſons, who were alſo very young. Then, after having expatiated in the moſt moving terms, with tears in his eyes, upon the deplorable condition of his whole unfortunate family, conſidering himſelf as one upon the brink of deſtruction, he compared himſelf to ſoldiers that made their will before a battle, and recommended thoſe tender infants to the Roman People, leaving them under their care and tūition. This ſight, attended with the diſcourſe and tears of a vehement orator, moved and changed every body. The juſt indignation they had conceived on the meer relation of Galba's cruel treachery to the Spaniards, on a ſudden gave place to compaſſion and indulgence; and the perſon whom every body, in their thoughts, had deemed unworthy of grace, was acquitted without a ſingle ſuffrage againſt him: ſuch force and ſway has eloquence over mankind!

Another criminal, ſome years after, was not ſo fortunate. This was L. Hoſtilius Tubulus, a man equally void of honour and ſhame, who, during the year of his Prætorſhip, when he preſided in trying aſſaſſins, had publickly ſold juſtice, without obſerving any meaſures. As ſoon as his term of office expired, P. Scævola, Tribune of the People, attacked him; and the trial was referred to the deciſion of Cn. Servilius Cæpio, one of the Conſuls. Tubulus did not ſtay till it was to come on, and diſappeared. It was a frequent cuſtom at Rome to be ſatisfied with this voluntary baniſhment, to which criminals condemned themſelves: but ſo vile a wretch as this was thought unworthy of ſo gentle a puniſhment. Tubulus was cited to appear, and foreſeeing that he ſhould be condemned to be ſtrangled in priſon, he choſe rather to poiſon himſelf. Freinſhem. Supplem. liii. 1. A. R. 611.

Val. Max. v. 8. The following year gives us an example of paternal ſeverity capable of making one tremble. Deputies from Macedonia laid complaints before the Senate againſt D. Silanus, who, during his command in that province, had committed many oppreſſions in it. Manlius Torquatus, the * father of the accuſed, a Senator of extraordinary merit, deſired that no ſentence might be paſſed upon his ſon, till he had examined into the affair himſelf. No difficulty was made to grant him this, as every body placed great confidence in his abilities and probity. He heard both ſides during two days, and on the third declared his ſon guilty; and, in conſequence, forbade him ever to appear before him. Silanus, after ſo ſad a ſentence, could no longer ſupport the light, and hanged himſelf out of deſpair. The father, through a rigour it is hard to praiſe, would not ſo much as aſſiſt at his funeral; but being of the profeſſion of the bar, remained calmly at home, anſwering thoſe who came to conſult him, as uſual. This behaviour ſpeaks the heir and deſcendant of that Manlius Torquatus, who had cauſed the head of his victorious ſon to be cut off. But ought this zeal to be carried ſo far as to ſtifle the ſentiments of nature?

No glory, no ſervices rendered the State, exempted a Roman citizen from the vexations of the Tribunes. We have ſeen a glaring example of this in the perſon of the firſt Scipio Africanus. The ſecond experienced the ſame trial, but extricated himſelf more ſucceſsfully. He had been Cenſor, and, whilſt he exerciſed that office, would have noted and degraded Claudius Aſellus, a Roman Knight; who was protected from this diſgrace ſolely by the oppoſition of the other Cenſor Mummius. This Claudius retained the warmeſt reſentment againſt Scipio, and, being become Tribune, he accuſed him before the People; on what pretence, and for what crime, the monuments come down to us are ſilent. Scipio wonderfully ſuſtained

Freinſhem. Suppl. liv. 32.

A. R. 613, or 614.

* The ſon of Manlius had been adopted by one Silanus.

his character of magnanimity. He did not put on mourning, nor appear as a ſuppliant: and even derided his adverſary, with an air of ſuperiority that ſat very well upon ſo great a man. This affair had no conſequences.

Scipio himſelf, ſeveral years after, and when he had added the deſtruction of Numantia to that of Carthage, accuſed L. Cotta. The authors who ſpeak of this affair do not mention the occaſion of it; but ſuppoſe, that Cotta was undoubtedly guilty. The cauſe was pleaded ſeven times before judgment was paſſed: for the Romans knew nothing of proceedings in writing; and when a cauſe, after having been pleaded on both ſides, did not appear ſufficiently clear, they decreed that it ſhould be reheard at new expences. At length, the eighth time that Cotta's affair came on, he was acquitted. It is ſaid, that the accuſer's too great power ſaved the accuſed; the judges having apprehended, that the condemnation of Cotta might be aſcribed to Scipio's credit. A weak pretext this. It would indeed be horrid iniquity, that the power of an adverſary ſhould cauſe an innocent perſon to be condemned: but that is no juſt reaſon for acquitting a criminal.

Cic. Divin. in Cæcil. n. 69. & pro Mur. n. 58. Val. Max. viii. 1.

I can conclude what regards trials no better than by a fact which, in my opinion, reflects great honour upon the Roman Bar, and ſtill more upon Lælius, Scipio's friend. He was to plead a criminal affair, in which ſome publicans, or farmers of the publick revenues, were concerned; the cognizance of which the Senate had referred to the Conſuls. He pleaded with his uſual exactneſs and elegance. But the Conſuls were not convinced, and decreed it ſhould be heard a ſecond time. A new pleading of Lælius, ſtill more elaborate and preciſe, enſued; and judgment was ſtill reſpited, and a new trial ordered. The farmers re-conducted Lælius to his houſe, expreſſing the utmoſt gratitude, and deſiring him not to be diſcouraged. He anſwered, "that he had the greateſt conſideration for them, and that he had manifeſted it by taking this affair upon

him; that he had employed all the pains in it of which he was capable: but that the beſt they could do, would be to apply to Galba, who being a more vehement orator than himſelf, would throw more warmth and force into the manner of pleading their cauſe, and probably carry it in their favour." They took his advice, and applied to Galba, who, being to ſupply the place of ſo great a man, long refuſed to take their defence upon him, and was ſcarce prevailed upon at length to do ſo by their earneſt ſollicitations. He employed all the next day in ſtudying the cauſe, making himſelf perfectly maſter of it, and in preparing and diſpoſing his proofs. The third day, which was that on which it was to be heard, he ſhut himſelf up in a detached vaulted cloſet, with ſome learned ſlaves who were his ſecretaries. When he was informed that the Conſuls had taken their places, he quitted his cloſet with his viſage and eyes all in flames, as if he had juſt been pronouncing his pleading. It was even obſerved, that his ſlaves had been treated with ſeverity; a proof that he was as violent a maſter, as he was a vehement orator. The audience was very numerous, and in great expectation; and Lælius was preſent. Galba began to ſpeak with ſo much force and eloquence, that he was interrupted by applauſes at almoſt every part of his pleading: and he ſo happily employed both the force of proofs and the vehemence of paſſions, that the Farmers entirely carried their cauſe, and were acquitted.

Such a ſucceſs in theſe circumſtances did Galba great honour: but the modeſt and equitable behaviour of Lælius was no leſs admired; which ſhewed, * that in thoſe times the perſons of the firſt rank at the bar were void of all mean jealouſy, did each other juſtice, and were glad to praiſe the merit and talents of others. We alſo † ſee on this occaſion, that there is no equality

* Erat omnino tum mos, ut in reliquis rebus melior, ſic in hoc ipſo humanior, ut faciles eſſent in ſuum cuique tribuendo. BRUT.

† Ex hac Rutiliana narratione ſuſpicari licet, cum duæ ſummæ ſint in Oratore laudes, una ſubtiliter diſputandi ad docendum, altera gra-

between

between the two kinds of eloquence; of which the one confines itſelf to informing the judges with exactneſs and perſpicuity, and the other in a manner raviſhes their conſent by an irreſiſtible violence; and that the latter infinitely excels the former.

I have ſaid that Tubulus, who was condemned in the 611th year, had preſided as Prætor in trials for aſſaſſination. It was, therefore, before that time that a change had been made with regard to the Prætors in the polity of the government of Rome, and in the adminiſtration of juſtice. It conſiſts in this: that as, before, of the ſix Prætors two only remained at Rome to preſide in trying civil cauſes, and the four others went either to govern the provinces of the empire, or command the armies; it was decreed, at the time of which we are ſpeaking, that they ſhould all paſs the whole year of their Prætorſhip in the city; two with the uſual functions, and the other four to take cognizance of certain crimes. It was in this manner that the *Queſtiones Perpetuæ* were inſtituted; that is, the ordinary tribunals for trying the crimes of caballing, peculation, &c. After having paſſed the year of their Prætorſhips in theſe functions, they were all ſix ſent to govern the provinces in the quality of Proprætors. All this has been related more at large in a diſſertation in a former volume of this work.

Two motives probably occaſioned this change to be made: the one, that the empire having been conſiderably enlarged by the conqueſt of Africa, Macedonia, and Achaia, four Prætors were too few for the number of the provinces: the other, that licentiouſneſs and diſorders augmenting, the neceſſity of the ordinary tribunals for checking crimes and puniſhing criminals, was obvious.

Scipio, in his Cenſorſhip, uſed his utmoſt efforts againſt degeneracy of manners, and the abuſes, of A. R. 610.

viter agendi ad animos audientium permovendos; multoque plus proficiat is qui inflammet Judicem, quàm ille qui doceat: elegantiam in Lælio, vim in Galba fuiſſe. BRUT.

every kind, that had been introduced at Rome. But all his zeal was rendered ineffectual, by the too great facility of his collegue, L. Mummius, a man of merit in many inſtances, but ſimple, eaſy to be deceived, and of that kind of good diſpoſition that degenerates into weakneſs. Accordingly, whilſt Scipio examined into the conduct of the Senators, Knights, and common People, with ſeverity, and employed the whole authority of his office in reforming vices, Mummius noted none, or even diſcharged all thoſe that he could, who had been noted by his Collegue. Scipio could not help complaining of this, and ſaid one day, in a full aſſembly of the People, "that he ſhould have exerciſed the Cenſorſhip in a manner worthy of the majeſty of the Commonwealth, if he had either had no Collegue, or a Collegue."

Diod. apud Valeſ.

Val. Max. vi. 1.

Scipio, however, did not carry his ſeverity to exceſs; of which we have a proof, in the manner he acted in reſpect to a Roman Knight called C. Licinius Sacerdos. At the review of the Knights, when it came to his turn to preſent himſelf to the Cenſors, Scipio ſaid with a loud voice: "I know C. Licinius "is perjured, and if any body will accuſe him, I'll "be a witneſs againſt him." Nobody offering themſelves, Scipio, addreſſing himſelf to Licinius, ordered him to paſs. "I will not note you," ſaid he, "that "it may not be ſaid I acted the part of accuſer, judge, "and witneſs, in reſpect to you." Upon which Cicero makes this fine reflection: "Therefore * this great man, to whoſe judgment not only the Roman People, but foreign nations, referred themſelves, did not think his own conſciouſneſs ſufficed, when the queſtion was to degrade a citizen."

Val. Max. iv. 1.

I ſhall relate another memorable circumſtance in Scipio's Cenſorſhip. On the cloſing of the Cenſus it was the cuſtom to implore the Gods, by a prayer, to

* Itaque is cujus arbitrio & populus Romanus & exteræ gentes contentæ eſſe conſueverant, ipſe ſuâ conſcientiâ ad ignominiam alterius contentus non fuit. Cic. pro Cl. n. 134.

augment the power of the Roman People. When the regiſter, according to that cuſtom, read this form, Scipio ſaid, "Our power is great enough. All that "we ought to aſk of the Gods, is to preſerve it in "the ſame ſtate." And he immediately cauſed the form to be amended; and it remained as he had dictated it from thenceforth.

In the Cenſus made by the Cenſors Scipio and Mummius, the citizens were found to be three hundred and twenty-eight thouſand three hundred and forty-two.

I ought not to omit here the wiſe precaution taken by the Senate to baniſh the aſtrologers from Rome, and to prohibit a new worſhip of Jupiter Sabazius, which had been introduced there. We have examples of the attention of the Romans to reform new and foreign ſuperſtitions in all times: happy had it been, if the old ones, which were often as abſurd and ſhamful as thoſe they proſcribed, had not gained greater credit with them! A. R. 612. Val. Max.

Livy * ſomewhere ſays, that, in the ſame manner as diſeaſes are known before remedies to cure them, ſo are the crimes which call for the redreſs of laws. Thus the avarice and injuſtice of the Roman Magiſtrates, which continually increaſed, occaſioned a very wiſe law, by which the States, whom the Governors of provinces had oppreſſed and plundered, were authorized to apply to the Judges for reſtitution of what had been unjuſtly taken from them: *Lex Calpurnia de pecuniis repetundis.* It was propoſed by L. Calpurnius Piſo Frugi, Tribune of the People, in the beginning of the third Punic war, in the Conſulſhip of L. Marcius Cenſorinus and M. Manilius. It was, perhaps, this law, that acquired this Tribune the honourable ſurname of FRUGI, honeſt man. Brut. 106.

* Sicut antè morbos neceſſe eſt cognitos eſſe, quàm remedia eorum; ſic cupiditates prius natæ ſunt, quàm leges quæ iis modum facerent. LIV. xxxiv. 3.

The exceſſive expences made at Rome in entertainments, were alſo the occaſion of paſſing different laws for putting a ſtop to the luxury of the Table.

Macrob. ii. 13. The law ORCHIA was the firſt, ſo called from C. Orchius, Tribune of the People, who propoſed it in the 569th year of Rome, in the Conſulſhip of Q. Fabius Labeo and M. Claudius Marcellus. It only preſcribed the number of the gueſts. Cato often complained, in his harangues, that it was not obſerved.

Macrob. ibid Aul. Gell. ii. 24. Twenty-two years after, that is, in the 591ſt of Rome, appeared the law FANNIA. The former, far from remedying the evil, had only augmented it, in leaving perſons at liberty to be at what expence they pleaſed, provided they did not exceed the number of gueſts preſcribed by it: this went to the root of the evil, by fixing the expence itſelf. It was preceded by a decree of the Senate, which ordained, that the principal citizens, who, at the time of the games in honour of the mother of the Gods, made entertainments for each other, ſhould take an oath to the Conſuls not to expend at each of them above an hundred and twenty Aſſes, or thirty ſeſterces; that is, about three ſhillings and ſixpence of our money, excluſively of garden-ſtuff, paſtry, and wine; that they ſhould uſe no wine but of the growth of the country; and ſhould have no plate exceeding an hundred pounds in weight (about the ſame weight Troy). The law Fannia, which was paſſed in conſequence of this reſolution of the Senate, was more expreſs in reſpect to the diſtinction of the days, allowing an hundred Aſſes for entertainments on certain feſtivals, thirty Aſſes ten times a month, and only ten on the other days, which are about three-pence of our money. This law was called Fannia, from the Conſul Fannius, who propoſed it.

Macrob. The law DIDIA was inſtituted eighteen years after, *An. Rom.* 609. It decreed, that not only the city of Rome, but all Italy, and every gueſt, as well as the perſon who gave the entertainment, ſhould be ſubject to the penalties of the law Fannia.

The law LICINIA is aſcribed, by ſeveral of the Learned, to the 642d year of Rome. P. Licinius Craſſus Dives, then Tribune, was its author. The warmth for putting it in execution was ſo great, that the Senate decreed it ſhould be obſerved as ſoon as propoſed, without waiting till it had received its final authority from the ſuffrages of the People, which could not take place, according to cuſtom, till after three market-days, that is, till twenty-ſeven days after its promulgation. It differed little from the law Fannia, and was only a kind of confirmation of it. It decreed, that, on the Calends, Nones, and Market-days, the citizens ſhould not expend above thirty Aſſes, that is, leſs than ſix-pence of our money; and that, on the other not excepted days, no more than three pound of freſh, and one of ſalt meat, ſhould be uſed, without including fruits. Macrob. Aul. Gell. ii. 24.

Some other regulations were afterwards made: but luxury, always too ſtrong for the laws, continually broke the barriers pains were taken to oppoſe to it.

I am amazed that theſe Legiſlators, ſo ſevere againſt the luxury of the table, did not extend their views to another abuſe, againſt which Scipio inveighs with vehemence, in a diſcourſe of which Macrobius has preſerved a fragment. This abuſe conſiſted in the ſuffering of public ſchools at Rome to be kept by Comedians, to which young perſons of both ſexes were ſent, to learn the art of geſture, and to declaim, the art of accompanying the pronunciation of verſes with motions of the body. Theſe maſters, who were of looſe manners, often taught their pupils to perform laſcivious motions, entirely capable of extinguiſhing all ſenſe of modeſty. Scipio makes bitter complaints of this practice. "Our * youth, ſays he, go to the Sat. ii. 10.

* Eunt in ludum hiſtrionum; diſcunt cantare: quæ majores noſtri ingenuis probo ducier voluerunt. Eunt, inquam, in ludum ſaltatorium inter cinædos virgines puerique ingenui—In his (vidi) unum, quod me Reipublicæ maximè miſertum eſt, puerum bullatum petitoris filium non minorem annis duodecim cum crotalis ſaltare, quam

ſchool

ſchool of the actors, to learn to pronounce verſes as on the ſtage; an exerciſe which our anceſtors conſidered as a profeſſion for ſlaves. Boys and girls of condition came to theſe ſchools. But in what company were they? I have myſelf ſeen, adds he, a boy in one of theſe ſchools (which ſight made me deplore the fate of the Commonwealth) I have ſeen a boy, I ſay, the ſon of one who was actually a candidate for office, performing a ſpeech to the ſound of a kind of tabor, or a dance, capable of making a ſlave void of ſhame bluſh." Such an education muſt undoubtedly have had a great tendency to corruption of manners. To what enormities muſt not an youth ſo educated naturally give themſelves up?

The laws of which it remains for me to ſpeak have a different view from the preceding. They tend either to aggrandize the power of the People, or to exempt them from dependance on the Great.

A. R. 606. Cic. de Amic. 96. The Tribune C. Licinius Craſſus, to make his court to the People, and mortify the Senate, propoſed a change in the creation of the Pontiffs, and to transfer the choice of them to the People; whereas hitherto it had always been made by the college of Pontiffs themſelves. Lælius, then Prætor, ſpoke ſtrongly againſt this propoſal, ſhewing how dangerous it was to make any innovations in matters of Religion. This motive, to which the multitude is very ſenſible, cauſed a law entirely popular to be rejected by the ſuffrages of the People.

The next laws regard ſecrecy in giving ſuffrages, concerning which the perſons of conſequence ſeem to have been divided in opinion. Till the 613th year of Rome, the ſuffrages had been given *viva voce* in chuſing magiſtrates: and it does not appear, that this manner of proceeding in electing them had any inconvenience, as no change had ever been propoſed in it.

A. R. 613. Cic. de Leg. iii. 34.

ſaltationem impudicus ſervulus honeſtè ſaltare non poſſet. SCIPIO apud MACROB †.

† In the interpretation of this paſſage I have followed the Abbe Du Bos upon Saltation. See Reflection upon Painting and Poetry. Vol. III. Sect. 13.

It

It had even this advantage, when any one propoſed perſons without merit for offices, the ſounder part of the citizens could make him ſenſible of the conſequences, and bring him over to a better opinion. We have often ſeen that the People, eſpecially on important occaſions, came readily into the ſentiments and remonſtrances of the citizens who made the publick good their view.

But when the great and powerful began publickly to abuſe their authority, in order to give the law in elections, employing not only promiſes, but even menaces and violence, the People conceived thoughts of preſerving their liberty from their attempts, by no longer giving their ſuffrages *viva voce*, but by ſcrutiny; ſo that each citizen threw into a locked vote-box, that had an opening at top, a note, with the name of the perſon he voted for inſcribed upon it. Cicero elegantly defines this method of proceeding in elections, *tabellam vindicem tacitæ libertatis*; "a certain method of preſerving the liberty of ſuffrages by the ſecrecy of ſcrutiny." But, on another ſide, this method is only more liable to corruption, delivering thoſe who do ill from the ſhame of being known. Human things are of this kind, and always have two aſpects. De leg. Agrar. ad Nep. n. 4.

However it were, this law, which eſtabliſhed the method of ſcrutiny for the election of magiſtrates, was called Gabinia, from the name of Gabinius, Tribune of the People, who propoſed it. He was a man of neither birth nor merit.

Two years after alſo, the ſame method of ſcrutiny was introduced alſo in trials, by L. Caſſius, Tribune of the People; and from his name the law was called Caſſia. The Conſul Æmilius, famous for his eloquence, employed the whole force of it for preſerving the ancient cuſtom. One of Caſſius's Collegues alſo oppoſed it: but he at length roſe up, and it was believed that he deſiſted by the advice of Scipio Africanus. Thus the law was accepted. De leg. iii. 34. 35. Brut.

Carbo, a very ſeditious citizen, extended it to the Aſſemblies of the People, in which the inſtitution of laws is determined. De leg. iii. 34.

Only

De leg. iii. 36. Only one kind of trials were exempted from the method of ſcrutiny: theſe were thoſe before the People for crimes of high treaſons. Caſſius had expreſsly excepted this ſingle caſe. Cælius introduced ſcrutiny alſo in this point; and, if we may believe Cicero, he repented it all his life.

WARS ABROAD.

To compleat the relation of all that I have left untouched, it remains for me to ſpeak of two wars of little importance, and of that of the ſlaves in Sicily, which gave the Romans great employment.

A. R. 608. Freinſhem. Suppl. liii. 6—8. Ap. Claudius being Conſul with Q. Metellus Macedonius, had Gaul for his province. The Salaſſi, who inhabited the country now called the valley of Aoſte, had a quarrel with their neighbours, concerning a river neceſſary to the working of certain gold mines, then ſucceſsfully carried on in that country. Appius was appointed to terminate this difference. But, proud and haughty, like all the reſt of his family, and beſides jealous of the glory of his Collegue, he was reſolved, at all events, to acquire the honour of a triumph. He therefore gave the cauſe entirely for the neighbours of the Salaſſi, whom he thereby reduced to take arms. He was defeated in a firſt battle, and loſt five thouſand men. But he had his revenge afterwards, and killed the Salaſſi five thouſand on their ſide. This was a great loſs for that people. They ſubmitted in conſequence: and Appius returned to Rome, ſo fully aſſured that he deſerved a triumph, that he did not ſo much as demand it, but only aſked a decree for being permitted to take the money for defraying the expences of it out of the publick treaſury. This being refuſed, he took the expence upon himſelf, and undertook to triumph. A Tribune of the People oppoſed it, and even threatened to have him pulled by force out of his chariot. Claudia, the daughter of Appius, who was a Veſtal, ſaved her father from this affront. She placed herſelf by his ſide in

in his chariot, and the Tribune, reſpecting in her the ſacred character with which ſhe was inveſted, did not venture to execute his menace. Thus triumphed Appius, with more glory to his daughter than himſelf.

The Ardyæni, a People of Illyricum, had ravaged the lands of ſome of the Roman allies, and even part of Italy in their neighbourhood. The Senate having cauſed complaints to be made to them ineffectually by Deputies, ſent a body of ten thouſand foot and five hundred horſe againſt them. On the ſight of this army, the Barbarians ſubmitted to all the conditions it was thought proper to impoſe upon them. They ſoon forgot their promiſes, and renewed their ravages. The Conſul Ser. Fulvius Flaccus was ordered to march againſt them, who ſoon reduced them to reaſon; and, in order to put a final end to their courſes, he removed them from the ſea into the midland country: being forced, there, to apply themſelves to huſbandry for ſubſiſtence, they became as pacific as they had before been turbulent and unruly. Freinſhem. Suppl. liv. 19—21.

WAR OF THE SLAVES IN SICILY.

From the end of the ſecond Punic war, that is, during more than ſixty years, Sicily had enjoyed profound tranquillity, and in the arms of peace had applied ſolely to the cultivation of lands, and the corn-trade, in which its whole wealth conſiſted. * Accordingly, the wiſe Cato called it the granary of the Commonwealth, and the nurſing-mother of the Roman People. This trade inriched not only the inhabitants of the iſland, but a great † number of Roman Diod. apud Phot. & Valeſ.

* Itaque ille M. Cato Sapiens cellam penariam reipublicæ noſtræ, nutricem plebis Romanæ, Siciliam nominavit. CIC. in Ver. II. 5.

† Multis locupletioribus civibus utimur quod habent propinquam, fidelem, fructuoſamque provinciam—quos illa partim mercibus ſuppeditandis cum quæſtu compendioque dimittit; partim retinet, ut arare, ut paſcere, ut negotiari libeat, ut denique ſedes ac domicilium collocare. ibid. 6.

citizens,

citizens, who, invited by the nearneſs of ſituation, went thither regularly every year to make conſiderable purchaſes of grain; or ſettled there with their families, and cultivated the lands they had acquired there.

It is eaſy to conceive, that a great number of ſlaves were neceſſary for cultivating a country of ſuch great extent and fertility as Sicily. We ſhall ſee that the number of thoſe who took arms amounted to almoſt two hundred thouſand. This multitude of ſlaves would have been of great advantage to Sicily, if their maſters had treated them with humanity, and they had been in the leaſt of the character of the perſon to whom Seneca writes in theſe terms: "I hear* with joy by thoſe who come from you, that you live familiarly with your ſlaves. This agrees well with one of your prudence and learning. But ſome may ſay, they are ſlaves: they ought rather to ſay, they are men, companions, nay, friends, of an inferior claſs—Continue to be loved and reſpected, rather than feared, by your ſlaves. It was thus the antient Romans lived. Our forefathers called the maſter of the houſe, the father of the family; and his ſervants and ſlaves, his family." Corruption of manners has changed this fine order.

When luxury, the natural conſequence of great riches, had gained ground amongſt the inhabitants of this iſland, it extinguiſhed all ſenſe of equity and humanity in their minds, and † the ſlaves were treated not like men, but beaſts, and with more cruelty than beaſts: for care is taken to feed oxen and horſes, to enable them to perform all the ſervice they can; whereas theſe inhuman rich men frequently refuſed

* Libenter ex his qui a te veniunt cognovi, familiariter te cum ſervis tuis vivere. Hoc prudentiam tuam, hoc eruditionem decet. Servi ſunt? Imò homines. Servi ſunt? Imò contubernales. Servi ſunt? Imò humiles amici—Colant potiùs te, quàm timeant—Majores noſtri Dominum, patrem familiæ appellaverunt: ſervos, familiares. SENEC. Epiſt. 47.

† Alia interim crudelia & inhumana prætereo, quod nec tanquam hominibus quidem, ſed tanquam jumentis abutimur. SENEC. Epiſt. 47.

their

their ſlaves the moſt indiſpenſible neceſſaries of life, not to mention the blows and other barbarous uſage inflicted upon them.

Thoſe unhappy wretches, driven to extremity by want, took to robbing: and as the credit of their maſters prevented the Prætors from doing juſtice upon theſe thieves, there was ſoon no ſecurity throughout Sicily; it became a very murtherous abode. This trade of robbing was an exerciſe which prepared the ſlaves for war, in accuſtoming them to rapine and violence, enuring their bodies to fatigues, and rendering their courage more ſavage and brutal. In their meetings they reproached each other, that being, as they were, a numerous and flouriſhing youth, they ſhould be ſolely employed in feeding the pomp and luxury of a ſmall number of voluptuous men. Every thing tended to a general revolt.

One Eunus, a native of Syria, then the ſlave of a citizen of Enna, called Antigenes, was very active in fomenting this diſpoſition. He boaſted his ſkill in magick, and pretended to know future events, and to converſe with the Gods, who had aſſured him that he ſhould one day be a King. In venting his pretended oracles, he breathed flames out of his mouth, in which he held a nut with an hole at each end, full of combuſtible matter that he had ſet on fire. His maſter diverted himſelf with ſeeing him play theſe tricks, and, far from oppoſing them, carried him with him to the houſes where he ate, to divert the company. There he was interrogated concerning his future Sovereignty: the gueſts, by way of joke, deſired him to have them in his favour when he came to be King; and upon his aſſurances that he would treat them in a very kind and gracious manner, he was rewarded with ſomething good from the table. This manner of jeſting ſoon became a very ſerious affair, and the kindneſs of thoſe who had familiarized themſelves thus with this ſlave, was rewarded by very effectual and eſſential ſervices.

The conſpiracy broke out at the houſe of Damophilus. He was one of the richeſt inhabitants of Enna, and

and maſter of a prodigious number of ſlaves, whom he treated with unheard-of barbarity and cruelty; an haughty, inſolent, brutal man, who had the train and equipage of a Prince, and made entertainments that exceeded all that has ever been ſaid of thoſe of Perſia in magnificence. His wife, Megallis, the worthy ſpouſe of ſuch an huſband, imitated his haughtineſs and cruelty in every thing. Their ſlaves, to the number of four hundred, were the firſt that ſet up the ſtandard of revolt. After having conſulted Eunus, who promiſed them good ſucceſs in the name of the Gods, they placed him at their head, and having armed themſelves as well as they could, with ſtaves, paliſades, ſpits, and whatever they could find, they entered Enna in good order; and all the ſlaves in the city having joined them, they plundered the houſes, and committed all kinds of exceſſes and cruelties in them. Knowing that Damophilus and his wife were at their country-houſe, which was very nigh, they ſeized them, dragged them into the city in chains, and having carried them to the theatre, which was the place of the aſſembly, they accuſed them in form, tried them, maſſacred Damophilus upon the ſpot, and delivered up Megallis to the female ſlaves, who, after having made her ſuffer a thouſand indignities, threw her headlong from the top of a tower, or ſome rock.

The fate of this mercileſs maſter's daughter is entirely remarkable. She was of a quite different character from her father and mother, and full of good-nature, humanity, and compaſſion for thoſe who ſuffered. She conſoled thoſe unhappy ſlaves, when they had been cruelly ill-uſed and beaten. If they were put in priſon, ſhe carried them proviſions. In a word, ſhe relieved them in all things to the utmoſt of her power. By this conduct ſhe had gained their hearts; and experienced that effect very happily on this occaſion. This inſolent and brutal multitude, amidſt their greateſt fury, remembered her goodneſs to them. They treated her with reſpect, paid her all kinds of honours, and

and cauſed her to be conducted in ſafety to relations of hers at Catana.

Eunus alſo kept his word with the inhabitants of Enna, to whom he had promiſed his protection. He ſaved them from the ſlaughter in which all the reſt of the city were involved.

As he had acquired great authority by his juggling tricks and fanaticiſm, the revolted ſlaves declared him their King. There was no occaſion for violence to make him comply with their choice. He immediately aſſumed the ſcepter, diadem, and other marks of the ſovereignty. He appointed his officers, gave his female * companion, who as well as himſelf was a Syrian, the name of Queen, cauſed himſelf to be called Antiochus, and decreed that his new ſubjects ſhould take the name of Syrians. In leſs than three days ſix thouſand men joined him, who armed themſelves as well as they could. He ran from city to city, and town to town, ſet open all the places where ſlaves were ſhut up, and augmented his forces to ſuch a degree, that he ventured to come to blows with the Roman troops ſent againſt him, and defeated them on ſeveral occaſions.

Cleon on another ſide, in imitation of Eunus, having put himſelf at the head of a body of ſlaves, began to ruin the territory of Agrigentum, and in the ſpace of thirty days drew together five thouſand men. It was believed at firſt, that theſe two bodies of ſlaves, divided in intereſt, would deſtroy each other. But this proved a miſtake. On the firſt order that Cleon received from Eunus, he declared for him, and went with his troops to ſubmit to the command of the new King.

It is eaſy to judge what horrid ravages and cruelties a multitude of domeſtick enemies committed againſt Sicily, who knew neither laws, ſhame, nor ſentiments of humanity. Diodorus Siculus tells us, that they

* I uſe this term, becauſe marriage between ſlaves was not authorized by the laws.

treated priſoners of war with the utmoſt barbarity, cutting off their hands, and even their whole arms. The ſame author has preſerved a deplorable adventure, which it is impoſſible to read without being much affected. Gorgus, one of the moſt illuſtrious and richeſt citizens of Murgantia, being abroad to hunt, perceived a band of theſe robbers coming towards him. He immediately fled towards the city; but as he was on foot, he had little hopes of eſcaping. At this inſtant his father arrived on horſeback, and immediately diſmounted to make his ſon get up. The ſon could not reſolve to ſave his life by abandoning his father to periſh; and the father had the ſame ſentiments in reſpect to the ſon. They diſputed, and intreated each other with tears, without being able to prevail on either ſide. This mutual tenderneſs was fatal to both. The robbers arrived, and maſſacred father and ſon together.

The battles with the Romans were no leſs ſucceſsful to the rebels, than their robberies. Florus mentions to the number of four Prætors, who were beaten by them, Manilius, Lentulus, Piſo, and Hypſæus. So many victories very much augmented Eunus's army, that now amounted to ſeventy thouſand men; and it was believed, that adding all that had revolted in the different parts of Sicily together, they would form the number of two hundred thouſand. The Romans A.R.618. then perceived, that theſe revolts merited great attention, and they ſent the Conſul, C. Fulvius, the Collegue of Scipio Africanus, into Sicily. It does not appear, that this General gained any great advantages.

This ſpirit of revolt, like a contagious diſeaſe, ſpread into Italy, and even into the city of Rome. A conſpiracy formed by an hundred and twenty ſlaves was diſcovered there. They were ſeized, and put to death. It was known from their own confeſſion, that the ſlaves of ſeveral cities of Italy had entered into this conſpiracy. Q. Metellus and Cn. Servilius Cæpio were charged with this affair. They deſtroyed four thouſand

thouſand ſlaves at Sinueſſa, and cauſed four hundred and fifty to be hanged at Minturnæ.

This evil ſhewed itſelf in ſeveral provinces: but in Sicily eſpecially it continued to make ſtrange havock. A. R. 619. The Conſul L. Calpurnius Piſo, who had ſucceeded Fulvius, put a ſtop to its progreſs by the good order and ſeverity of diſcipline he re-eſtabliſhed amongſt the troops. Val. Max. ii. 7. C. Titius, who commanded a body of cavalry, having ſuffered himſelf to be ſurrounded by the ſlaves, had ſurrendered to them, and delivered up his arms, on condition of having his life ſaved. Piſo condemned him to remain, during all the time he ſhould ſerve, from morning to night barefoot, in the principal place of the camp, in a robe cut ignominiouſly, and a tunick without a girdle, all marks of infamy. He was forbade to frequent the baths, or go to any entertainment; and all his men were diſmounted, and obliged to ſerve in the companies of ſlingers, who were conſidered as the meaneſt corps in the army. So diſtinguiſhed a puniſhment kept all the troops and officers to their duty, and was followed by good ſucceſs. Frontin. iv. 1. The rebels incenſed againſt the Mamertines, who had alone kept their ſlaves in obedience and ſubmiſſion, becauſe they had always treated them with goodneſs and humanity, actually beſieged their city, Meſſina, with numerous troops. Piſo made his army march againſt them, and gave them battle. Eight thouſand remained upon the ſpot, and all that were taken priſoners were crucified. In diſtributing the rewards to thoſe, who had ſignalized themſelves in the battle, he declared that his ſon deſerved a crown of gold of three pounds in weight: but as it did not become a magiſtrate to put the Commonwealth to the expence of a preſent, that was to enter his own houſe, he would diſtinguiſh the honour of the reward from the value of the matter; that * as his General he actually granted him the honour, but as his father he would ſecure Val. Max. iv. 3.

* Ut honorem publicè à duce, pretium à patre privatim acciperet.

the value to him by his will. Such a delicacy confirms the ſurname of *Frugi* that had been given to Piſo, and is worthy of him, who had firſt eſtabliſhed the law againſt the extortion of magiſtrates.

A. R. 620. It was the Conſul P. Rupilius, who had the honour of having terminated the war of the ſlaves in Sicily. They were in poſſeſſion of many places: but two in particular conſtituted their ſtrength, Enna and Tauromenium; and Rupilius conceived, that if he could take them, it would be a certain means to purge Sicily of them, and entirely to extirpate them. He began with Tauromenium, a very well fortified city, which made a long and vigorous defence. As the Conſul was maſter at ſea, it could receive no proviſions on that ſide; and all the convoys by land were intercepted. The famine became ſo horrible, that they ate their own wives and children. The city was at length taken, and all the ſlaves that remained were put to death, after having ſuffered the moſt cruel torments.

The Conſul then moved to Enna. That city was conſidered as impregnable, and had a numerous garriſon: but it ſoon wanted proviſions. Cleon who commanded in it, having made a ſalley with all his beſt troops, after having long fought like a deſperate man who expected no quarter from the enemy, was at length taken, and died ſome days after of his wounds. His dead body, which was expoſed to the view of the beſieged, entirely diſcouraged them. Some, to have their lives ſaved, delivered up the place to the Romans by treachery. Twenty thouſand ſlaves periſhed in theſe two cities.

Eunus, that imaginary King, eſcaped into ſteep and almoſt inacceſſible places, with ſix hundred men, that compoſed his guard. Rupilius purſued them thither, and attacked them vigorouſly. He ſoon reduced them to deſpair, and they all killed one another, to avoid the ſhame and cruel torments prepared for them. Eunus was too deſirous of life to follow their example:

ple: he hid himſelf in dark and deep caves, from whence he was taken, attended only by four companions of his fortune, who were (the thing is remarkable, and ſhews the effeminacy of this mock King) his cook, baker, bather, and the fool that diverted him at table. He was thrown into a dungeon, where he periſhed ſoon after of the louſy diſeaſe.

Rupilius, to leave no remains nor ſuſpicion of troubles and revolts in Sicily, made the tour of the whole iſland with a detachment of choſen troops; and after having entirely re-eſtabliſhed peace, he applied himſelf, in concert with the ten commiſſioners the Senate had ſent thither for that purpoſe, to inſtitute ſuch wiſe regulations, as were highly approved by the people, and conſidered as the foundations of the publick tranquillity. This Rupilius, as we ſee, was a man of ability and merit; but not of birth. The Sicilians were without doubt much ſurprized to have a perſon to regard as a Conſul and Legiſlator whom they had ſeen in their iſland as an officer of the revenue. The favour of Scipio Africanus, who knew Men as well as Things, had much contributed to raiſe him to the Conſulſhip. Val. Max. vi. 9.

After he had regulated the affairs of Sicily, he returned to Rome with his army. He had done actions which indiſpenſably deſerved a triumph. But it was judged that the meanneſs of the enemies had in ſome meaſure degraded ſo ſignal an honour. It was thought ſufficient to grant him only the inferior triumph, called Ovatio.

Attalus King of Pergamus died about the 614th year of Rome. His nephew, who had the ſame name, with the ſirname of Philometor, ſucceeded him in his kingdom, but not in his virtues. For, as if he had intended to make his ſubjects regret the loſs of him, he abandoned himſelf to all kinds of exceſs and debauchery. Happily for them his reign was ſhort, and continued only five years. Freinſhem. Suppl.

Having no children, he made a will, by which he

appointed the Roman People his heirs. Eudemus of Pergamus carried it to Rome.

But Ariſtonicus, who gave himſelf out as deſcended from the royal family, endeavoured to get poſſeſſion of the States of Attalus. And indeed, he was the ſon of Eumenes, but not legitimate.

He ſoon formed a conſiderable party, as well by the favour of the people, accuſtomed to be governed by Kings, as the aid of the ſlaves, who at that time had revolted in Aſia againſt their maſters, as thoſe of Sicily had done, and for the ſame reaſons. Neither the reſiſtance of many cities, who refuſed to acknowledge him, nor the ſuccours ſent thoſe cities by the Kings of Bithynia and Cappadocia, could ſtop his progreſs. The Senate of Rome deputed five Ambaſſadors or Commiſſioners, whoſe unarmed authority produced
A.R. 621. no effect. The Romans at length made an army ſet out under the command of P. Licinius Craſſus, a very rich man, of high birth, eloquent, an able Lawyer, and great Pontiff, but who does not ſeem to have had any military merit. He was the firſt Pontifex Maximus, to whom any command out of Italy had been given.

His exploits in Aſia were very inconſiderable. Hiſtory relates nothing more memorable of him, than an act of ſeverity, which may well be termed exceſſive rigour. It is as follows. In beſieging a city of Aſia, he ſent to demand of another city, in alliance with the Romans, the greateſt of two maſts he had ſeen there. His intent was to make a battering-ram of it. The chief engineer of the place believed the leaſt ſuited the Conſul's deſign beſt, and ſent it. Upon which Licinius ordered that engineer to attend him; and without hearing his reaſons, ordered him to be ſtript and ſcourged, ſaying, that he required obedience, and not advice from him.

He periſhed miſerably, and even, if Juſtin may be believed, by his own fault; having * been leſs intent

* Intentior Attalicæ prædæ, quam bello. JUSTIN. xxxvi. 4.

upon

upon conducting the war well, than upon collecting and converting to his own uſe the riches of the Kings of Pergamus. His army was defeated, and himſelf taken priſoner. He however avoided the diſgrace of being delivered to the victor, by making a barbarian kill him, into whoſe eye he thruſt a ſtick which he had in his hand, on purpoſe to enrage him.

The Conſul Perperna, who ſucceeded Craſſus, ſoon revenged his death. Having made the utmoſt expedition into Aſia, he gave Ariſtonicus battle, entirely defeated his army, beſieged him ſoon after in Stratonicea, and at length took him priſoner. A. R. 622.

He immediately ſent him to Rome in the fleet which he loaded with all the treaſures of Attalus. Manius Aquilius, who had lately been elected Conſul, made haſte to take his place, in order to terminate the war, and deprive him of the honour of a triumph. He found Ariſtonicus ſet out, and ſoon after Perperna, who had followed, died of diſeaſe at Pergamus. Aquilius had no difficulty in putting an end to a war, which Perperna had brought ſo near a ſucceſsful concluſion. He however diſhonoured the advantages he gained, by an horrid crime which all nations deteſt. In order to force ſome places to ſurrender, he poiſoned the ſprings from which they had their water. The fruits of this war to the Romans was, that Lydia, Caria, the Helleſpont, Phrygia, in a word, all that compoſed the kingdom of Attalus, was reduced into a Roman province, under the common name of Aſia. A. R. 623.

The Senate had given orders to deſtroy the city of Phocæa, which had declared againſt the Romans, both in the war, of which we have been ſpeaking, and before in that againſt Antiochus. The Inhabitants of Marſeilles, which was a Colony of Phocæa, moved as much with the danger of their founders, as if that of their own city had been in queſtion, ſent deputies to Rome to implore the clemency of the Senate and People in their favour. However juſt the indignation of the Romans was againſt Phocæa, they could not refuſe complying with the warm ſollicitations of a People,

for whom they had long had the higheſt regard, and who rendered themſelves ſtill more worthy of it by the tender gratitude they expreſſed for their forefathers and founders.

Manius Aquilius on returning to Rome received the honour of a triumph, inſtead of the puniſhment he had juſtly deſerved for the unworthy and criminal methods to which he owed his ſucceſſes. And ſoon after, on being accuſed of extortion, he was acquitted, which did not retrieve his honour, but diſgraced his judges. As to Ariſtonicus, having been exhibited as a ſight to the People in the triumph of Aquilius, he was carried to priſon and ſtrangled. And theſe were the conſequences of Attalus's will.

Mithridates in his letter to Arſaces, King of the Parthians, * accuſed the Romans of having forged a will of Attalus, to deprive Ariſtonicus, the ſon of Eumenes, of his father's kingdom, which appertained to him by right: but it is a declared enemy, who lays this crime to their charge, and conſequently his teſtimony is of no weight.

* Simulato impio teſtamento, filium ejus (Eumenis) Ariſtonicum, quia patrium regnum petiverat, hoſtium more per triumphum duxere. Apud SALLUST. in fragm.

THE

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REVISED and COMPLETED

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ADVERTISEMENT

TO THE

NINTH VOLUME of the First Edition.

THE public are now going entirely to perceive, that it has loſt Mr. ROLLIN. A great part of this volume is indeed of his compoſing: but beſides that the laſt fragments of an author, whoſe work has been interrupted by death, are neceſſarily the leaſt finiſhed, Mr. ROLLIN had left voids, which I was obliged to fill up; and before the end of the volume, my guide quits me, and I am left abſolutely to myſelf.

Thus * the death of Mr. ROLLIN, without being untimely or premature, is no leſs to be lamented by the public. And indeed it may be called premature, according to Pliny the younger's thoughts, who conceives † the death of every one to be ſo, that meditates works worthy of immortality. "For, adds he, thoſe, who, devoted to pleaſure, live in a manner from day to day, ſee every day the accompliſhment of their reaſon for deſiring to live. But as to thoſe, who have poſterity in view, and to perpetuate their

* Mors quam matura, tam acerba. LIV. vi. 1.

† Mihi videtur acerba ſemper & immatura mors eorum, qui immortale aliquid parant. Nam qui voluptatibus dediti, quaſi in diem vivunt, vivendi cauſas quotidiè finiunt. Qui verò poſteros cogitant, & memoriam ſui operibus extendunt, his nulla mors non repentina eſt, ut quæ ſemper inchoatum aliquid abrumpat. PLIN. l. v. ep. 5.

names by fine and uſeful works, death always comes too ſoon for them, becauſe it always interrupts ſomething began."

It undoubtedly was not the frivolous view of a chimerical immortality, that engaged Mr. ROLLIN. More ſolid and Chriſtian motives directed his labours. But it is true, he did deſire to finiſh his ROMAN HISTORY. And I remember, that after his firſt illneſs in May 1741, when I congratulated him upon his return in health, and that, probably for a conſiderable number of years, which I wiſhed might extend to the longeſt term of human life; he replied with vivacity, "I ſhould be very ſorry for that. But I ſhould deſire, "if it were the will of God, to live long enough to "compleat my work."

It was not the will of God. Neither his wiſhes, nor mine, nor thoſe of all who love virtue and letters, were heard in that reſpect. It is as juſt as neceſſary to ſubmit to the diſpenſations of Providence. All that I can and ought to do, is to endeavour, as much as in me lies, to imitate ſo dear a maſter, and ſo excellent a model.

I confeſs, that of all the qualities that render a writer admirable, there is not one, of which I ſhould be ſo ambitious, as that amiable character of ſimplicity, humanity, goodneſs, and modeſty, with which he wins the hearts of all his readers. An author of renown has however taken occaſion from it to make him ſeveral reproaches, which all terminate in that of having had too much deference for the authority of the ancients. I ſhould injure Mr. ROLLIN's memory, if I undertook to juſtify him in a point he thought for his glory. He was far from thinking, with his cenſurer, that it was neceſſary to begin the ſerious ſtudy of hiſtory only towards the end of the fifteenth century; and conſequently, that not only Herodotus, but Thucydides, Xenophon, Polybius, Salluſt, Livy, Tacitus, and all the ancients, were to be conſidered as nothing. I ſhall ſay no more upon this ſubject. Whatever zeal I may have to oppoſe the attacks upon Mr. ROLLIN, I chooſe rather to make the moderation he profeſſed through-

out

out his whole life, my rule: and the rather, becauſe diſcourſe is ſuperfluous, where things ſpeak themſelves; and the univerſal eſteem of all the truly learned, as well as his leſs inſtructed readers, declares loudly not his apology, but his praiſe.

I therefore ſtop ſhort; and chuſe to be ſilent the more willingly, as it would not be eaſy for me to keep within certain bounds, if I once indulged myſelf in ſpeaking. I have only to apprize the reader of two things.

The firſt is, that to avoid, as much as poſſible, having Mr. ROLLIN charged with my faults, I have pointed out the additions, in any manner conſiderable, that I have inſerted in his text; and have taken care to mark the exact place where his manuſcript ends.

The ſecond obſervation I have to make, relates to the reduction of the Greek and Roman ſpecies of coin into ours. I have conformed to Mr. ROLLIN's eſtimate, without believing it abſolutely exact, as he did not believe it himſelf. It is certain that the only means to have any thing exact in this kind, is to make weight the rule. Nor are the learned without great difference of opinions in this reſpect. It is however the method I have followed, as the beſt in itſelf, in my edition of Livy. But we have certain ideas of weights, when the ſpecies of coin are in queſtion: and moſt readers would be out of their depth, if we gave them the ſums in marks, ounces, drams, and grains. I ſhall only obſerve, that Mr. ROLLIN's eſtimate comes nearer to exactneſs, if we compare it with what moſt nations conſider as the intrinſick value of gold and ſilver, than if we fixed it to the current value of thoſe metals in France.

THE

THE ROMAN HISTORY.

BOOK THE TWENTY-EIGHTH.

THIS book includes about twenty years, from the 619th to the 638th year of Rome, and ſomething more. It contains principally the Hiſtory of the Gracchi, ſome wars abroad, the moſt important of which is that whereby the Romans form a province in the Gauls; and various affairs of the city.

SECT. I.

Hiſtory of the GRACCHI.

Ti. Gracchus and Cornelia, father and mother of the Gracchi. Cornelia's extraordinary care of the education of her two ſons. Similitude and difference of character of the two brothers. Tiberius, when very young, is elected Augur. He ſerves under Scipio in Africa, and afterwards in Spain under Mancinus as Quæſtor. Treaty of Numantia the cauſe and origin of his misfortunes. Tiberius eſpouſes the party of the People. He is elected Tribune, and revives the Agrarian laws. Complaints of the Rich againſt him. Octavius, one of his collegues, oppoſes his law. Tiberius endeavours to bring over his collegue by fair means, but ineffectually. He undertakes to have Octavius depoſed, in which he ſucceeds. Reflexion

flexion upon that violent proceeding of Tiberius. The law for the diſtribution of lands is paſſed. Three commiſſioners appointed for putting it in execution. Mucius is ſubſtituted to Octavius. Tiberius perſuades the people, that deſigns are formed againſt his life. He cauſes a decree to paſs for the diſtribution of the eſtates of Attalus amongſt the poorer citizens. He undertakes to juſtify the depoſition of Octavius, and to have himſelf continued in the office of Tribune. He is killed in the Capitol. Reflexion upon that event. The accomplices of Tiberius condemned. Seditious anſwer of Bloſius. P. Craſſus is elected Triumvir in the room of Tiberius. Scipio Naſica is ſent into Aſia to avoid the fury of the People. Caius Gracchus retires. Anſwer of Scipio Africanus upon the death of Tiberius. Cenſus. Speech of the Cenſor Metellus to exhort the citizens to marry. Fury of the Tribune Atinius againſt Metellus. Difficulties of the diſtribution of lands. Scipio declares in favour of thoſe that were in poſſeſſion of lands. He is found dead in his bed. His obſequies. Ill-timed frugality of Tubero. Scipio's remoteneſs from pomp. Praiſe of that great man. Caius applies himſelf to the ſtudy of eloquence. He goes to Sardinia as Quæſtor. His dreſs. His wiſe conduct in Sardinia. His great reputation alarms the Senate. Turbulent deſigns of Fulvius. Conſpiracy ſuppreſſed at Fregellæ. Caius returns to Rome. He juſtifies himſelf entirely before the Cenſors. He is elected Tribune notwithſtanding the oppoſition of the Nobles. His praiſe. He propoſes ſeveral laws. He undertakes, and executes ſeveral publick works of importance. C. Fannius is elected Conſul by the intereſt of Caius. Caius is choſen Tribune for the ſecond time. He transfers the adminiſtration of juſtice from the Senate to the Knights. The Senate, to ruin the credit of Caius, makes Druſus, one of his collegues, oppoſe him, and becomes popular itſelf. Caius carries a colony to Carthage. Druſus takes advantage of his abſence. Caius returns to Rome. He changes his habitation. Decree of the Conſul Fannius contrary to the intereſts of Caius. Caius quarrels with his collegues. They prevent him from being elected

elected Tribune for the third time. Every thing is ripe for his deſtruction. The Conſul Opimius makes the Senate take arms. Licinia exhorts her huſband Caius to provide for his ſafety. He endeavours an accommodation ineffectually. Fulvius is killed upon mount Aventine, and his followers put to flight. Sad end of Caius. His head, upon which a price had been ſet, is carried to Opimius. His body is thrown into the Tiber. Temple erected to Concord. Honours rendered the Gracchi by the People. Agrarian laws of the Gracchi annulled. Retreat of Cornelia to Miſenum. Fate of Opimius. Reflexion upon the Gracchi.

THE troubles occaſioned by the Gracchi are a mournful epocha in the Roman Hiſtory. Theſe were the firſt civil conteſts, that were terminated by violence and murder, and in which the blood of Romans was ſhed by Romans: a fatal example that was ſoon revived and multiplied, that brought on civil wars, proſcriptions, and at length a change of government, and the fall of a liberty, that no longer ſubſiſted, except to give the Commonwealth tyrants under the name of defenders.

Plut. in Gracch.

THE TWO BROTHERS, Tiberius and Caius Gracchus, whom for brevity-ſake I ſhall uſually call the one Tiberius and the other Caius, were the ſons of Tiberius Gracchus, who, though he had been Cenſor, and twice Conſul, and had triumphed as often, derived more luſtre from his perſonal virtues, than from all his dignities. His merit, which ſhone out early, acquired him an illuſtrious match. He married Cornelia, daughter of the great Scipio, Hannibal's conqueror. We have ſeen in what manner that marriage took place in effect of the generoſity with which Ti. Gracchus, notwithſtanding an ancient enmity, declared warmly in favour of the Scipios, in a perſecution excited againſt them by the Tribunes of the People.

Cornelia, after the death of her huſband, who left her twelve children, applied herſelf to the care of her family with a wiſdom and prudence, that acquired her great

great eſteem. Plutarch tells us, that Ptolomy King of Egypt (this muſt have been Ptolomy Phyſcon) would have divided his crown with her, and ſent to demand her in marriage; but ſhe refuſed it. He would certainly have been an huſband very unworthy of ſo accompliſhed a ſpouſe. There is no great probability in the fact. She loſt moſt of her children in her widowhood. She had only one daughter left, Sempronia, whom ſhe matried to the ſecond Scipio Africanus; and two ſons, Tiberius and Caius, whom ſhe brought up with ſo much care, that, though they were generally acknowledged to have been born with the moſt happy geniuſſes and diſpoſitions, it was judged, that they were ſtill more indebted to education than to nature. The anſwer ſhe gave a Campanian lady concerning them, is very famous. That lady, who was very rich, and ſtill fonder of pomp and ſhew, after having diſplayed in a viſit ſhe made her, her diamonds, pearls, and richeſt jewels, aſked Cornelia earneſtly to let her ſee her jewels alſo. Cornelia dexterouſly turned the converſation to another ſubject, to wait the return of her ſons, who were gone to the publick ſchools. When they returned and entered their mother's apartment, ſhe ſaid to the Campanian lady, pointing to them with her hand, "Theſe are "my jewels." A very memorable ſaying, that includes great inſtruction for ladies and mothers.

The Gracchi diſtinguiſhed themſelves exceedingly amongſt the young Romans of their time, by the talent of ſpeaking; and it has been obſerved, that they were indebted for it to the particular care their mother * Cornelia took to retain the beſt maſters then at Rome about them, to teach them the Greek language, polite learning, and all the ſciences. She ſpoke her own tongue with great purity: and the language of her children argued it, and did honour to her, whoſe maternal cares ſeemed to have had the forming of their

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* Gracchus diligentiâ Corneliæ matris à puero doctus, & Græcis literis eruditus. Nam ſemper habuit exquiſitos è Græcia magiſtros. Cic. in Brut. 104.

bodies leſs in view, than that of their ſtyle. * Her letters are mentioned with praiſe by Cicero and Quintilian. It is but juſtice to the ladies to own, that they excel in the epiſtolary ſtyle, which ought to be ſimple, clear and natural, with elegance and delicacy.

Cornelia had abundance of other great qualities, for which ſhe was highly reſpected. Juvenal aſcribes an air of pride and haughtineſs to her, which, in his ſenſe, took much from her merit, when he ſays, "That a ſimple citizen of Venuſia was preferable as a wife, to Cornelia, the mother of the Gracchi, if the latter, with great virtues, brought along with her an haughty brow, and was for reckoning the triumphs of her family into her portion."

Malo Venuſinam, quam te, Cornelia, mater
Gracchorum, ſi cum magnis virtutibus affers
Grande ſupercilium, & numeras in dote triumphos.

We muſt return to her children. Through the reſemblance of theſe two brothers in reſpect to courage, temperance, liberality and magnanimity, ſome evident differences were however obſerved. Firſt, as to feature, look, walk, and all motions, Tiberius was calmer and more compoſed, Caius more warm and vehement; ſo that when they ſpoke in publick, the former always kept in the ſame place, with a grave and ſedate countenance; the other was the firſt of the Romans who introduced motion in the tribunal, going from one ſide to the other, and uſing ſtrong and violent geſtures. This diverſity was alſo obſerved in the character of their eloquence, which was extremely warm and vehement in Caius, and in Tiberius mild, and fitter to move compaſſion. The diction of the latter was pure, and extremely elaborate; that of Caius

Plut.

* Legimus epiſtolas Corneliæ matris Gracchorum. Apparet filios non tam in gremio educatos, quam in ſermone matris. Cic. in Brut. 211. Gracchorum eloquentiæ multum contuliſſe accepimus Corneliam matrem, cujus doctiſſimus ſermo in poſteros quoque eſt epiſtolis traditus. QUINTIL. l. 1.

free

free and bold. The ſame difference was obvious again at their tables, and in their common expences. Tiberius was ſimple and frugal: Caius, in compariſon with other Romans, was ſober and temperate; but with his brother, he ſeemed to give in to the new taſte for pomp and magnificence.

Their manners were no leſs different in all other reſpects. Tiberius was mild, moderate, and polite; Caius rough, violent, paſſionate, abandoning himſelf in his harangues to exceſſive guſts of anger, which he could not keep in, and to terms and tones of voice, that ſuited ſuch emotions. To * remedy this inconvenience, whenever he ſpoke in publick, he had a ſervant behind him with a pipe, who when he perceived by the tone of Caius's voice, that he grew overvehement, and abandoned himſelf to his fire, he ſounded a ſoft note upon his inſtrument, which brought back the orator to a leſs vehement pronunciation. On the contrary, when his utterance grew weak and languid, the ſame muſician touched an higher and more lively note, which, to uſe the expreſſion, awakened and re-animated him. † It was a very extraordinary thing that Caius, in a publick aſſembly, in the midſt of the turbulent actions, that ſpread terror amongſt the Patricians, and in which he had every thing to fear for himſelf, ſhould hear the ſervant, that ſounded the pipe, and raiſe or lower his voice, according to the note given him.

Tiberius was nine years older than his brother. Plut. Hence it was, that there was a conſiderable ſpace of time between their entrance into publick affairs. And this, as Plutarch obſerves, contributed moſt to the ruin of all their undertakings and deſigns; becauſe

* C. Gracchus—quoties apud populum concionatus eſt, ſervum poſt ſe muſicæ artis peritum habuit, qui occultè eburneâ fiſtulâ pronunciationis ejus modos formabat, aut nimis remiſſos excitando, aut plus juſto concitatos revocando: quia ipſum calor & impetus actionis attentum hujuſce temperamenti æſtimatorem eſſe non patiebatur. VAL. MAX. viii 10. Vide CIC. de Orat. iii. 225.

† Hæc ei cura inter turbidiſſimas actiones, vel terrenti optimates, vel timenti, fuit. QUINTIL.] 8.

they did not flouriſh together, and could not unite their power, which would have become very great, and perhaps irreſiſtible in effect.

Tiberius, almoſt as ſoon as he aſſumed the robe of manhood, acquired ſo much reputation and eſteem, that he was thought worthy of being elected into the college of Augurs, much more upon account of his virtue than on that of his high birth. And Ap. Claudius, who had been Conſul and Cenſor, and was actually Prince of the Senate, to unite him to his family, of which he was very deſirous, gave him his daughter in marriage. He ſerved in Africa under Scipio, who had married his ſiſter: and, as he lived with him, he had a nearer opportunity of ſtudying that great model, ſo capable of exciting his emulation. He took the advantage of it, and gave proofs of his valour and good conduct. He had the glory of being the firſt that mounted the wall of Carthage. His good nature, and engaging manners, acquired the love of the troops, and when he quitted the army, he was highly regretted by every body.

When he was Quæſtor, he had Spain for his province; and the unfortunate Mancinus for his General, whoſe diſgrace gave Tiberius occaſion to augment his reputation, in ſhewing not only his activity and underſtanding in publick affairs, but a reſpect which would not ſuffer him ever to forget what he owed his Conſul, whilſt Mancinus himſelf, under the load of his misfortunes, almoſt forgot who he was. We have ſeen what confidence the Numantines repoſed in him, and in what manner he concluded a treaty with them, which ſaved the Roman army: a fatal event to Tiberius, which, as we ſhall ſee, proved the cauſe and origin of all his misfortunes.

This treaty was received and interpreted differently at Rome, according to diverſity of intereſts. The relations and friends of thoſe, who had ſerved in this war, when Tiberius returned to Rome, aſſembled in crowds about him, crying out, that they were obliged to him alone for the lives of twenty thouſand citizens; and

imputing all that was ſhameful in the treaty to the General. On another ſide, thoſe who conſidered the peace he had made as ſhameful and unworthy of the Romans, (and theſe were the perſons of the greateſt power and authority in the Senate) were on this occaſion for following the example of their anceſtors, who in a like caſe, ſent back to the Samnites not only the Generals, but all thoſe who had any ſhare in the treaty of Caudium, Quæſtors, Tribunes and other officers; thereby making all the odium of violated oaths and breach of faith fall upon their heads. The ſame did not take place on this occaſion, The People decreed, that only the Conſul Mancinus ſhould be delivered up to the Numantines, and exempted all the reſt from puniſhment in favour of Tiberius.

Proud of this kind of victory over the Senate, and angry, that their body had declared againſt him, * he renounced the party of the Old and Great, to whom his father had always adhered, and gave himſelf up entirely to the People, ſtudying to pleaſe them by every means, in order to weaken and ruin the credit of thoſe, whom he conſidered as his enemies. For this purpoſe he conceived a method, which, far from having any thing odious in it, ſeemed only the effect of his zeal for juſtice and the publick good, and might really have been ſo to a certain degree.

On the firſt occaſion I had to ſpeak of the Agrarian laws, I ſaid, that it had been a cuſtom with the Romans from the earlieſt times, when they had conquered a neighbouring people, to confiſcate part of their lands, and annex them to the territory of the Commonwealth. Some of theſe lands were ſold: others were diſtributed amongſt the poor citizens, who were ſent thither in colonies: and ſome were let for

* Ti. Graccho invidia Numantini fœderis, cui feriendo, quæſtor C. Mancini Cos. cum eſſet, interfuerat & in eo fœdere improbando Senatûs ſeveritas dolori & timori fuit: iſtaque res illum fortem & clarum virum à gravitate patrum deſciſcere coegit. De Haruſp. reſp. 43.

Ad quem [Tribunatum] ex invidia fœderis Numantini bonis iratus acceſſerat. Brut. 103.

the uſe of the publick. By this regulation the Commonwealth provided for the ſubſiſtence and multiplication of her citizens. But in proceſs of time the Great and Rich poſſeſſed themſelves of almoſt all theſe lands, that were originally the State's, either by purchaſe, or by having ſuch adjudged to them, on account of paying a greater quit-rent, on which ſmall ones had been laid; or laſtly by violence. Several regulations had been made to put a ſtop to theſe uſurpations. The Tribunes Sextius and Licinius had paſſed a law, by which it was prohibited to poſſeſs more than five hundred acres of land. But avarice, induſtrious to invent new methods for eluding the force of laws, had always broke thro' theſe feeble barriers. The Rich at firſt cauſed theſe lands to be cultivated by the people of the country, who were free: but as theſe free farmers were often obliged in time of war, to carry arms, and to ſuſpend the cultivation of land; inſtead of natives of the country they employed ſlaves, who did them much more ſervice, and from thence their number increaſed infinitely: but that of the ſubjects of the Commonwealth diminiſhed in proportion; and it is eaſy to conceive what a misfortune this was to the State.

Plut. Tiberius had been an eye-witneſs of this, and was ſenſibly concerned, when in croſſing Tuſcany on his way to Numantia, he ſaw the lands lie deſart, and found no other huſbandmen, herdſmen, and ſhepherds on them, but ſlaves from foreign countries, who were exempt by their condition from ſerving in war.

A. R. 619. Ant. C. 133. P. Mucius Scævola. L. Calpurnius Piso Frugi.

When Tiberius was elected Tribune of the People, he undertook to reform this diſorder, and to reinſtate the poor citizens in the poſſeſſion of the lands, of which they had been deprived, by reviving the law Licinia, of which I have juſt ſpoke above. Cornelia his mother, who perpetually reproached her two ſons with paſſing their lives in obſcurity, and not diſtinguiſhing

guiſhing themſelves by any ſignal actions, and "that the Romans called her Scipio's mother-in-law, and not the mother of the Gracchi," ſtrongly urged him to propoſe that law. But what ſtill more determined him to do ſo, was the People, who by written papers affixed to porticos, walls, and tombs, exhorted him every day to take upon him their defence againſt the mercileſs Rich. He however did not think proper to reſolve upon it without taking counſel. He communicated his deſign to ſome perſons, who were conſidered as the principal citizens of Rome for reputation and virtue. Of this number were Craſſus, who was afterwards Pontifex Maximus, the lawyer Mucius Scævola then Conſul, and Appius Claudius, father-in-law of Tiberius. A. R. 619. Ant. C. 133.

One would think, ſays Plutarch, that a milder and more humane law was never propoſed againſt ſo great an injuſtice, and ſo enormous an uſurpation. For inſtead of expelling with ſhame thoſe greedy poſſeſſors of others eſtates from the lands they held, contrary to the laws, and ſentencing them to make reſtitution of all the gains they had unjuſtly made from them, it only ordained, that they ſhould quit them after having received from the publick the price of the lands they poſſeſſed, and that the citizens, whoſe circumſtances required relief, ſhould enter upon them in their ſtead. It appeared to the People, that the Rich ought to be perfectly ſatisfied, that no penalty was laid upon them for the paſt; and that no more was required of them, than to ſuffer thoſe they deprived of their eſtates to reenter upon them. But the Rich were far from thinking in the ſame manner. They repreſented that theſe lands were eſtates, which had been in their families from immemorial time; that they had built upon them, had planted them, and that the tombs of their forefathers were upon them; that they were fortunes divided amongſt brothers, or that the portions of wives were laid out in purchaſing them; that they had been given to children in marriage: or laſtly, that money had been borrowed upon theſe lands, which App. Civ. l. 1.

A.R. 619. Ant. C. 133. were mortgaged for the payment of their debts. Theſe were undoubtedly great difficulties, and give room to think, it was with reaſon, that Lælius, who in his Tribuneſhip had the ſame idea of this matter as Tiberius, dropt it, and by that circumſpection acquired the ſurname of The Wiſe, which has done him ſo much honour with poſterity. The Rich in conſequence were juſtly alarmed, roſe up againſt the law, and even went ſo far as to attack the perſon of the Legiſlator; endeavouring to perſuade the people, that Tiberius propoſed this new partition of lands only to excite great troubles in the Commonwealth, and to induce commotions and confuſion.

They got nothing by all their outcries and complaints. Tiberius bore them down irreſiſtibly; and as he maintained a cauſe, that ſeemed entirely juſt and honeſt, with an eloquence capable of carrying an unjuſt and diſhoneſt one, he made himſelf terrible to his opponents, when in an aſſembly of the whole People round the tribunal of harangues, he came to urge the moſt ſpecious and popular reaſons in favour of the Poor, which could not fail of being applauded in an audience ſo much intereſted in approving them. "The "wild beaſts, ſaid he, that roam in the mountains "and foreſts of Italy, have each their hole and den to "retire to; but theſe brave Romans, who fight and "expoſe their lives for the defence of Italy, enjoy "only the light and air of the heavens, of which they "cannot be diveſted, and poſſeſs neither houſe nor "cottage to ſhelter them from the injuries of the "weather. Without homes, without retreat, they "wander about in the very heart of their country with "their wives and children like miſerable exiles. Their "Generals in battles exhort them to fight for the tombs "of their fathers and their houſhold gods: and yet "amongſt all this great multitude of Romans, there is "not one, who has either a paternal altar or tomb of "his anceſtors. They go to war, and die only to ſup"port the luxury, and to increaſe the riches of others; "and yet ſome do not bluſh to call them the lords

"and

« and maſters of the univerſe, when in reality they have « not a ſingle inch of land in their poſſeſſion." A. R. 619. Ant C. 133.

To theſe words, which he pronounced with a kind of enthuſiaſm, that ſhewed * they came from his heart, and that he was ſenſibly touched with the misfortunes of the People, there was not a ſingle perſon of his adverſaries, that dared to make the leaſt reply. The inconveniences attending the ruin of the fortunes of the beſt families of Rome and Italy, might undoubtedly have affected minds capable of reaſon and reflexion. But a multitude, allured by the hope of commodious and agreeable ſettlements, and prejudiced by ſuch arguments, as we have juſt ſeen the eloquent Tribune enforce, were abſolutely deaf to the ſtrongeſt reaſons, that could have been urged to the contrary. Accordingly the Rich renounced the thoughts of anſwering Tiberius, and applied to M. Octavius, one of his collegues, a young man, grave in his manners, full of moderation and prudence, and beſides a particular friend of Tiberius. Octavius in conſequence, out of conſideration for him, at firſt refuſed to oppoſe his decree. But, as moſt of the great perſons of Rome preſſed and conjured him to ſecond them, at length, in a manner carried away by their importunity, he roſe up againſt Tiberius, and oppoſed his law. Now the oppoſition of a ſingle Tribune put a ſtop to every thing, and as long as it ſubſiſted nothing farther could be done.

Tiberius, exaſperated by this obſtacle, withdrew this law, in which, as we have obſerved, he had kept within the bounds of moderation, and propoſed another of greater ſeverity againſt the Rich, and therefore more agreeable to the People. It decreed, " That all thoſe who poſſeſſed more lands than the ancient laws allowed, ſhould quit them immediately," without mentioning any allowance or ſatisfaction.

Warm diſputes paſſed every day in the tribunal between him and Octavius. But though both ſpoke with the utmoſt vehemence, neither ſaid any thing injurious of the other, nor did they ſuffer the leaſt word

* Scias ſentire eum quæ dicit. QUINTIL.

to

A. R. 619. Ant. C. 133. to eſcape them in their anger, that could be taxed with indecency: ſuch force has a good education to keep the mind of man within the bounds of wiſdom and moderation!

Tiberius apprehending, that Octavius might be actuated by private views of intereſt, becauſe he was poſſeſſed himſelf of a conſiderable number of the lands dependent on the Commonwealth, in order to induce him to renounce his oppoſition, offered to indemnify him out of his own fortune, though himſelf was none of the richeſt. Octavius did not accept this offer. Tiberius then, to ſhake the conſtancy of his adverſaries, paſſed a decree, by which he prohibited all magiſtrates to exerciſe their functions, till the people ſhould have deliberated upon the laws. He even ſhut the gates of Saturn's temple, where the publick treaſure was kept, and ſealed up the locks, that the Quæſtors or Treaſurers might take nothing out, nor bring nothing into it; and laid great fines upon ſuch of the Prætors, as ſhould refuſe to obey this decree. In conſequence, all the magiſtrates without exception, not to incur that penalty, abandoned their miniſtration, and ſuſpended their functions. What an enormous power was this in a Republican State, which in the hands of a young man of thirty, can thus with a few words interdict all other magiſtrates!

In the mean time, the day fixed for the aſſembly arrived. But when Tiberius was for ſending the people to give their ſuffrages, the Rich had carried off the urns which held the ballots for voting. This circumſtance occaſioned a great confuſion, that might have had very fatal conſequences. Manlius and Fulvius, perſons of Conſular dignity, threw themſelves at the feet of Tiberius, conjured him to prevent the dreadful inconveniences, into which he was hurrying, and prevailed upon him to go and conſult with the Senate. He repaired to it immediately. But ſeeing that auguſt body determined nothing, on account of the Rich, who had moſt credit and authority in it, he formed a reſolution, that was generally diſapproved by

by all perſons of worth, which was to depoſe Octavius from his office of Tribune, deſpairing of ever being able to paſs his law by any other means. A. R. 619. Ant. C. 133.

However, before he proceeded to that extremity, he tried gentle methods. He deſired Octavius, in the preſence of the whole aſſembly, and uſed the moſt affecting terms he could conceive, ſqueezing his hands, and conjuring him to depart from his oppoſition, and to afford the People this grace, who demanded nothing but their right, and in obtaining it, would receive but a ſlight reward for the many pains, fatigues, and dangers, they had ſuſtained for the Commonwealth. Octavius perſiſted ſtifly in his refuſal; upon which Tiberius manifeſted his deſign. "We "are," ſaid he, "two collegues perpetually and dia- "metrically oppoſite to each other, upon an affair of "the greateſt importance. I ſee but one means of "terminating the diſpute; which is, that one of us be "deprived of his office. I ſubmit myſelf to this firſt. "Octavius may bring what relates to me into deliberation. For my part, if the People decree it, I will in- "ſtantly deſcend a private perſon from the tribunal." Octavius being far from accepting ſuch a propoſal; "Well then," reſumed Tiberius, "to-morrow I will "propoſe the depoſing of Octavius to the people. The "people ſhall decide, whether a Tribune, who obſti- "nately oppoſes their intereſts, ought to continue in- "veſted with a charge, that he received only for their "protection."

The next day, the People being aſſembled, Tiberius mounted the tribunal, and again endeavoured, by the moſt gentle perſuaſions, to bring over Octavius. But finding him ſtill inflexible, he propoſed the decree for depriving him of his office, and ſent the People to give their ſuffrages. Thirty-five Tribes were preſent. Seventeen had already given their voices againſt Octavius, and only one was wanting to form the majority for depoſing the Tribune, when Tiberius ordering them to ſtop, began again to intreat him, embraced him before the whole People, and ſpared no kind of careſſes; imploring and conjuring him not to expoſe

A. R. 619. Ant. C. 133. poſe himſelf to ſuch an affront, as to be diveſted of his charge by the People, and not to draw upon him the reproach of having been the author of ſo rigorous a proceeding.

Octavius could not hear theſe inſtances without being moved and ſoftened. He ſhed ſome tears, and kept ſilence during a conſiderable time, as if deliberating upon the choice he ſhould make. But at length having caſt his eyes upon the Rich, and thoſe who poſſeſſed lands, who were around him in great numbers, he ſeemed to be aſhamed of breaking the promiſe he had made them; and turning towards Tiberius, he declared with a reſolute tone, "That he might act as he thought fit."

Accordingly, the decree for depoſing him being paſſed, Tiberius ordered one of his freedmen to pull him down from the tribunal; for he employed his freedmen as officers. This circumſtance ſtill added to the indignity Octavius ſuffered. The People however, far from being moved with it, already prepared to fall upon him, when the Rich ran in to his aid, and oppoſed the fury of the multitude. Octavius eſcaped with great difficulty; but one of the moſt faithful of his ſlaves, who kept continually before him to defend him, and ward off the blows, had both his eyes beat out. Tiberius hearing the tumult, and being informed of what had juſt happened, was extremely ſorry for it, and made all poſſible haſte to prevent the conſequences.

All that Tiberius had done hitherto, had at leaſt the appearance of juſtice. But by an unexampled proceeding, to depoſe a magiſtrate, whoſe perſon was ſacred and inviolable, only for uſing a right annexed to his office, was an act, that inſtantly gave every body diſguſt. It is evident, that Tiberius thereby entirely enervated the authority of the Tribuneſhip, and deprived the Commonwealth of a reſource infinitely uſeful in times of trouble and diviſion. For, as *

* Quod enim eſt tam deſperatum Collegium, in quo nemo è decem ſanâ mente ſit? De Leg. iii. 24.

Cicero

Cicero obſerves, could it often happen, that the whole college of Tribunes ſhould be ſo much corrupted and deſperate, that not one in ten of them ſhould think with reaſon, and be well inclined? Now the oppoſition of but one of them ſufficed to fruſtrate the malignity of the other nine. This right of oppoſition was therefore the refuge of the Commonwealth; and Tiberius, in annihilating it, gave the State a mortal wound. But this was not all; for he hurt himſelf extremely. He gave his enemies an handle: he cooled the affection and zeal even of his own party, who had the higheſt reſpect and veneration for the Power of the Tribuneſhip, and could not without grief ſee it impaired and degraded. * Accordingly, this violent proceeding of Tiberius was deemed the principal cauſe of his deſtruction. We ſhall ſoon ſee what he will ſay in his own juſtification. But facts, as well as reaſon and juſtice, declare againſt him. A. R. 619. Ant. C. 133.

After the depoſing of Octavius, no farther obſtacle, that could prevent the paſſing of the law, remained. It was received, the diſtribution of the lands decreed, and three Commiſſioners, or Triumviri, appointed to make enquiry and diſtribute them. Theſe were Tiberius himſelf, his father-in-law Appius Claudius, and his brother Caius, then very little more than twenty years of age, and actually ſerving under Scipio at the ſiege of Numantia. The People believed it incumbent upon them to chooſe none but perſons, upon whom they could entirely rely, for the execution of a law, in which they were ſo much intereſted.

All this paſſed quietly enough; nobody daring to oppoſe Tiberius further. The election alſo of a Tribune to ſucceed Octavius was at his diſcretion. He did not take a perſon of note, but one of his clients, called Mucius, whom his recommendation ſerved inſtead of merit.

* Quid illum aliud perculit, niſi quod poteſtatem intercedendi Collegæ abrogavit? Cic. ibid.

The

A. R. 619. Ant. C. 133.

The Nobility, notwithſtanding, who retained the warmeſt reſentment againſt him, and dreaded the increaſe of his power, did him all imaginable affronts in the Senate. Upon his demanding to be ſupplied with a tent at the publick expence, as was the cuſtom, in order to his uſing it for incamping, whilſt he was employed in this diſtribution, they refuſed it him, though it always had been granted even to perſons, who were ſent to execute much ſmaller commiſſions.

They went farther, and ordered him for his expences only nine oboli a day, that is a denarius and an half, about eight-pence ſterling. This ill treatment was promoted by † P. Naſica, who publickly declared himſelf his enemy. He poſſeſſed many of the publick lands, and was extremely mortified with being forced to give them up.

All theſe difficulties only exaſperated the People more and more. He was told that his defenders had every thing to fear from the violence and hatred of the Rich. Tiberius, on the occaſion of the ſudden death of one of his party, who was ſuſpected to have been poiſoned, either feigned to be, or actually was, in fear for his life. He put on mourning, and carrying his children to the Forum, he recommended them to the People, and conjured them to preſerve thoſe young unfortunates and their mother, as deſpairing of being able to ſave his own life, and expecting nothing but death. It is eaſy to conceive, how much ſuch a ſight was capable of moving the multitude.

About this time, Attalus Philometor, the laſt King of Pergamus, being dead, his will was brought to Rome, by which he had appointed the Roman People his heirs. Aſſoon as it had been read, Tiberius took hold of the occaſion and propoſed a law, importing, "That all the ready money ariſing from that Prince's eſtates, ſhould be diſtributed amongſt the poor citizens, in order that they might have where-

† He had been Conſul in 614, under which year we have ſpoken of him.

with

with to furniſh their new poſſeſſions, and to provide themſelves with the tools neceſſary in agriculture." A. R. 619. Ant. C. 133.

He added, "That as to the cities and territories that formed the dominions of Attalus, it was not the right of the Senate, but of the People, to decree in reſpect to them."

Thus Tiberius ſpared the Senate in nothing, attacking the authority of their whole body, after having ſhaken the fortunes of almoſt all the members that compoſed it. In conſequence he was expoſed to a thouſand invectives and reproaches from the Great, and thoſe in their intereſt. But the rudeſt attack he had to ſupport, was from one Annius, a man by no means comparable to him, either by birth, talents, or manners; but one, who in altercations was ſingularly happy in perplexing his adverſaries with captious queſtions, or keen and witty repartees. This Annius had the boldneſs to call upon Tiberius to confeſs, that he had violated a magiſtrate, whoſe perſon was ſacred. The incenſed Tribune immediately ſummoned an aſſembly of the People, brought Annius before it, and prepared to accuſe him. But the latter perceiving how much overmatched he was, had recourſe to what conſtituted his ſtrength. He aſked Tiberius's permiſſion to put one queſtion to him. Tiberius conſented, and the whole People kept ſilence. Annius then ſaid theſe few words: "You are for taking revenge of me. "Suppoſe I implore the aid of one of your Collegues. "If he takes me under his protection, and in conſe- "quence you are enraged, will you deprive him of "the Tribuneſhip?" Tiberius, on this queſtion, was ſo much diſconcerted, that though of all mankind he was the moſt capable of ſpeaking without preparation, and the boldeſt and moſt determinate of haranguers, he remained mute, did not anſwer a ſingle word, and diſmiſſed the aſſembly directly.

He fully perceived, that of all he had done in his office, nothing had drawn more odium upon him than the depoſing of Octavius, and that the People themſelves were ſhocked at it. Upon this ſubject he made

A. R. 619. Ant. C. 133. made a long ſpeech, of which Plutarch repeats ſome ſtrokes, to ſhew the great force of his eloquence, and his addreſs in repreſenting things in favourable colours. It were to be wiſhed, that we had theſe fragments in Latin.

He ſays, "That the perſon of the Tribune was "only ſacred and inviolable, becauſe he was the man "of the people, and ſacred by condition for their "protection and defence." "But, added he, if the "Tribune departing from his deſtination, does the "People injury, inſtead of protecting them; if he "weakens their power, and prevents them from "giving their ſuffrages; in ſuch caſe he deprives him-"ſelf of the rights and privileges, that have been "granted him, becauſe he does not do the things, "for which alone they were conferred upon him. For "otherwiſe, it would follow, that we ſhould ſuffer a "Tribune to deſtroy the Capitol, and burn our arſe-"nals: in that caſe he would be a Tribune, a bad "one indeed, but however ſtill a Tribune. Where-"as, when he deſtroys and ſubverts the authority and "power of the People, he is no longer a Tribune.

"Is it not ſtrange, that a Tribune ſhould have a right, "when he thinks fit, to drag a Conſul to priſon, and "that the People ſhould not have that of diveſting a "Tribune of his office, when he makes no uſe of it, "but againſt thoſe who gave it him? For the People "equally chuſe both Conſul and Tribune.

"Regal power, beſides including in itſelf all the au-"thority and power of the other magiſtrates, that are "delegated from it, was alſo conſecrated to the gods "by the moſt ſacred ceremonies, and the moſt auguſt "ſacrifices. Rome however did not fail to expel Tar-"quin on account of his injuſtice. The guilt of a "ſingle man was the cauſe that that power, the moſt "ancient of this empire, and which had given birth "to Rome, was utterly aboliſhed.

"What is there more ſacred and venerable in Rome "than the virgins, who continually watch the ſacred "fire? But, if one of them happens to commit a "crime,

" crime, ſhe is buried alive without mercy For, in A. R. 619.
" ſinning againſt the gods, they no longer retain that Ant. C.
" inviolable character, which they ſolely have on the 133.
" account of the gods. In like manner, when a Tribune tranſgreſſes againſt the People, it is no longer
" juſt that he ſhould retain a character, which he has
" ſolely received for the ſake of the People: for he
" himſelf deſtroys the power, to which he owes his
" whole force and authority. In conſequence, if he
" was juſtly elected Tribune, when the majority of the
" Tribes gave him their ſuffrages, with how much
" more reaſon and juſtice is he deprived of his office,
" when all the Tribes have unanimouſly given their
" votes for depoſing him?

" There are no things ſo ſacred and inviolable, as
" thoſe which have been conſecrated to the gods.
" However, none ever prevented the People from
" uſing them, from changing their place, and tranſ-
" porting them whither they thought fit. It is there-
" fore allowable for them to do with the Tribuneſhip
" what they do with the moſt ſacred things, and to
" transfer it to whom they pleaſe.

" And laſtly, a certain proof, that this office is not
" inviolable, abſolutely ſpeaking, nor removeable, is,
" that thoſe on whom it has been conferred, have laid
" it down of themſelves, and have deſired to be diſ-
" charged from it."

With theſe ſpecious reaſons Tiberius endeavoured o cover his violence: weak pretexts, like two-edged veapons, tending to reduce every thing to the law of he ſtrongeſt; as that of the two Tribunes, who hould have moſt credit and power, would never want lauſible inſinuations, that his adverſary attacks the ights of the people.

The time for electing new Tribunes approaching, Dio oth ſides ſpared no pains in canvaſſing; the one, that uch might be choſen as favoured the Rich; the other, o continue Tiberius in office. The latter even in-nded to have his brother Caius appointed his col-gue, and his father-in-law Appius declared Conſul;

A. R. 619. Ant. C. 133. believing theſe the ſole means for ſucceeding in his enterprizes. He therefore endeavoured to conciliate the favour of the People more than ever by new laws, and retrenching by all methods the authority of the Senate, rather out of a ſpirit of contention and vengeance, than through any regard for juſtice and good government. He propoſed a law for abridging the time of ſerving in the field; for eſtabliſhing a right to appeal to the People from the ſentences of all the different tribunals; to introduce amongſt the judges, who were then all of the number of the Senators, an equal number of the Knights, and even to give all the ſtates of Italy the freedom of Rome.

Plut.

Vell. ii. 2.

Whilſt this paſſed, the day for the election of the Tribunes arrived. Tiberius, and his whole party, ſeeing that they were not the ſtrongeſt, becauſe many of the People, employed in country works, were abſent, began firſt to fly out, and pick quarrels with the other Tribunes, to gain time; reproaching them, that for their private intereſts they betrayed thoſe of the People; and at length Tiberius adjourned the aſſembly to the next day. He then came into the Forum with a mourning robe, with the utmoſt dejection in his face, and with tears conjured the People to take him under their protection, ſaying, that he was afraid his enemies would attack him with force, and aſſaſſinate him in the night. By this diſcourſe, he moved the People ſo much, that many of them poſted themſelves before his doors during the whole night.

The next day he went at day-break to the Capitol. On his arrival every thing ſeemed much in his favour; aſſoon as he came in view, the People raiſed a great cry of joy to expreſs their affection; and when he aſcended the tribunal, he was received with great honours, and care was taken, that none ſhould approach him, who were not known. I omit ſeveral bad omens, with which hiſtorians do not fail to accompany extraordinary events, and with which they obſerve Tiberius was ſo much diſmayed, as almoſt to conſider, whether he ſhould return back, and renounce

nounce his enterprize. But C. Bloſius of Cumæ, who was his great confident, encouraged him, repreſenting to him in the ſtrongeſt terms, how ſhameful it would be for him to give way in that manner to his enemies, and to fruſtrate the expectation of the public. A. R. 619. Ant. C. 133.

At the ſame time the People were aſſembled in the Capitol; the Senate had alſo met in a neighbouring temple: but there was neither order nor tranquillity in either of theſe aſſemblies. Nothing was heard but noiſe, fury, and tumult.

Mucius, the Tribune, who had been ſubſtituted to Octavius, having began to call upon the Tribes to give their ſuffrages, found it impoſſible to proceed to buſineſs, ſo extreme were the noiſe and uproar. In this diſorder, Fulvius Flaccus, one of the Senators, got upon an higher place, in order to be ſeen by the whole aſſembly; but not being able to be heard in effect of the noiſe, he made a ſign with his hand, to ſignify, that he had ſomething in particular to ſay to Tiberius. The latter immediately ordered the People to open and make way for him; when Fulvius, who had approached with great difficulty, informed him, that the Senate being aſſembled, the Nobility and Rich had uſed their utmoſt endeavours to bring over the Conſul Scævola to their party, and not being able to effect it, they had reſolved to kill him themſelves; and in order to that had drawn together a great number of their friends and ſlaves all armed.

Upon this information, thoſe who were about Tiberius thought of preparing for his defence. They girded their robes cloſe, and breaking the ſtaves uſed by the officers for clearing the way before the magiſtrates, they took pieces of them to uſe for want of other arms.

At the ſame inſtant Tiberius, who could not make himſelf heard at a diſtance on account of the great noiſe which continued, lifted up his hand to his head, to ſignify by that action to the multitude the danger that threatened him, and that deſigns were formed

A. R. 619. Ant. C. 133. againſt his life. * His enemies, to give that innocent geſture a black and infamous conſtruction, cried out, that he publicly demanded a crown. Q. Pompeius had before made way for that calumny, by giving out, that the perſon, who brought the Will of Attalus to Rome, had delivered the royal purple and diadem to Tiberius, and that the Tribune had received thoſe ornaments of the ſovereignty, as being ſoon to reign himſelf in Rome.

The falſity of this accuſation was evident: but of what will not people make uſe to deſtroy an enemy? Scipio Naſica, who had put himſelf at the head of Tiberius's moſt violent adverſaries, ſnatched the occaſion of the preſent moment, and called upon the Conſul Scævola to aid his country, and deſtroy the tyrant. The Conſul, who was a prudent and moderate man, replied, "That he would never ſet the example of violent meaſures, nor deprive a citizen of life without his being tried in the forms: but that, if the People, at the perſuaſion of Tiberius, proceeded to deliberate upon any thing contrary to the laws, he ſhould have no regard to this." Naſica, upon that, riſing up in a paſſion, cried out, "As the Conſul, through a ſcrupulous exactneſs to the formalities of the law, expoſes the Commonwealth and the laws themſelves to certain deſtruction, though I am but a private perſon, I will put myſelf at the head of you." At the ſame time he wrapped his left arm in part of his robe, and lifting up his right, ſaid, "Follow me all you, who have any regard for the preſervation of the Commonwealth." The whole Senate aroſe, and followed Naſica, who went directly to the Capitol.

Few dared to oppoſe the paſſage of a troop compoſed of all the moſt illuſtrious perſons of the city. Thoſe who followed the Senators had brought large ſtaves and levers; and themſelves laid hold of the legs

* Cùm plebem ad defenſionem ſalutis ſuæ, manu caput tangens hortaretur, præbuit ſpeciem regnum ſibi & diadema poſcentis. FLOR. iii.

and

and pieces of the benches broke by the people in their flight, and opened their way to Tiberius, ſtriking and knocking down all before them without reſpect to perſons. All fled, and many were killed. As Tiberius himſelf was flying, ſomebody catched hold of him by the robe to ſtop him, when he left it in their hands, and continued his flight in his tunic. But happening to fall down as he ran, the moment he got up, P. Satureius, one of his Collegues, gave him firſt a great blow on the head with the foot of a bench; and a ſecond was given by L. Rubrius, another Tribune, who boaſted of it as of an action much for his honour. Tiberius was but thirty years of age, when he was killed. More than three hundred perſons were knocked on the head with ſtaves and ſtones, and not one ſlain with the ſword. A. R. 619. Ant. C. 133.

This is the firſt ſedition, as I have obſerved before, ſince the expulſion of the Kings from Rome, in which the blood of the citizens was ſhed. We have ſeen, in the beſt times of the Commonwealth, very warm and violent conteſts between the Senate and People: but either through the condeſcenſion of the Senate, or the reſpect of the People for that auguſt body, every thing terminated quietly and by meaſures of reconciliation. Perhaps it had not been difficult in the preſent occaſion for the Senators to have imitated the wiſe moderation of their anceſtors, and to have brought over Tiberius by fair means: or if it had even been neceſſary to uſe force, things need not have been carried to ſuch cruel extremities. That Tribune had not above three thouſand men with him, and none of them armed with any thing but ſticks.

The Great had certainly right on their ſide. The enterprize of Tiberius was culpable in itſelf. It never was allowable to deprive the actual poſſeſſors and the moſt illuſtrious of one half of a ſtate of their fortunes, to transfer them to the other. And though there might have been ſome injuſtice originally in the thing, it was in a manner obliterated by long poſſeſſion: and it is not without reaſon, that Preſcription has been

A. R. 619. Ant. C. 133. termed the patron of mankind. Beſides, could it be expected, that all the moſt powerful citizens would acquieſce in being deprived of their whole eſtates? Tiberius's law therefore armed one part of the city againſt the other; and conſequently can only be conſidered as pernicious.

Theſe reflections are * Cicero's, who oppoſes the conduct of the Gracchi, and ſuch reformers, with that of Aratus, the founder of the Achaian league. Sicyon his country had been under ſubjection to tyrants during fifty years. Aratus having aboliſhed their power, and brought back ſix hundred exiles with him, was exceedingly embarraſſed, becauſe on one ſide juſtice ſeemed to require, that thoſe exiles ſhould be reinſtated in their fortunes, and on the other it ſcarce ſeemed equitable to deprive poſſeſſors, who had been ſo during fifteen years. (How much more regard would he have had to poſſeſſors of ſeveral ages?) But what did Aratus? He obtained a conſiderable ſum of money from Ptolomy Philadelphus, with which he conciliated all intereſts. "O great man, cries Cicero †, and worthy of being born a Roman! It is thus citizens ſhould be dealt with. The policy and wiſdom of a true ſtateſman ſhould not be to divide the intereſts of a people, but to unite them entirely by common and ſalutary ties of equity."

Theſe principles, to which it is impoſſible to object, are a ſentence of condemnation againſt Tiberius. The cauſe of the Great and Rich was conſequently

* Qui agrariam rem tentans, ut poſſeſſores ſuis ſedibus pellantur—ii labefactant fundamenta reipublicæ: concordiam primùm, quæ eſſe non poteſt, quum aliis adimuntur, aliis condonantur pecuniæ; deinde æquitatem, quæ tollitur omnis, ſi habere ſuum cuique non licet. Id enim eſt proprium civitatis atque urbis, ut ſit libera, & non ſollicita ſuæ rei cuique cuſtodia.—Quam habet æquitatem ut agrum multis annis aut etiam ſeculis antè poſſeſſum, qui nullum habuit, habeat, qui autem habuit amittat. De Offic. ii. 78, 79.

† O virum magnum, dignumque qui in noſtra republica natus eſſet! Sic par eſt agere cum civibus—eaque humana ratio & ſapientia boni civis, commoda civium non divellere, atque omnes æquitate eadem continere. De Offic. ii. n. 83.

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the beſt. But they diſhonoured it by cruelty, and ſet a pernicious example, which was ſtill more ſo in its conſequences. A. R. 619. Ant. C. 133.

It is evident, that paſſion and fury had a great ſhare in their proceeding. For the murder of Tiberius, and his blood ſo inhumanly ſhed, was not capable of ſatiating their animoſity. They exerciſed a cruelty on his body that riſes even to barbarity. Notwithſtanding the warmeſt intreaties of his brother Caius, they would not permit him to take it away, to render the laſt honours during the night, and threw it into the Tiber with the reſt of the dead. Thus periſhed in the flower of life one of the moſt ſhining perſons Rome had ever produced, who might have become the ornament of his country, if he had uſed more prudence in the application of his great talents.

P. POPILIUS LÆNAS. A. R. 620. Ant. C. 132.
P. RUPILIUS.

The Conſuls were ordered by the Senate to proſecute the accomplices of Tiberius. But Rupilius, to whom the province of Sicily had fallen by lot, where we have ſeen him terminate the war againſt the Slaves ſucceſsfully, ſoon left the care of affairs at Rome to his Collegue, who executed his commiſſion with great ſeverity, or rather cruelty. Many of the unfortunate Tribune's friends were baniſhed without any forms of trial, and many put to death: Diophanes, the rhetorician, was of the number of the latter. Plutarch adds, that one C. Billius, or Villius, was ſhut up in a tub with vipers and ſerpents; a kind of puniſhment entirely new, and which ſeems almoſt improbable; unleſs it was deſigned to imply, that he was treated as guilty of parricide againſt his country.

Before Rupilius ſet out for Sicily, Lælius, who was aſſociated with the Conſuls in the commiſſion, relates in Cicero, that Bloſius, who had a great ſhare in the ſeditious enterprizes of Tiberius, came to im- De Amic. 37.

A. R. 620. Ant. C. 132.

plore his aſſiſtance, and earneſtly begged that he would pardon him. He did not deny, that he had ſupported the Tribune to the utmoſt of his power; and pleaded for his ſole excuſe, that his eſteem and attachment for Tiberius were ſo great, that he conceived himſelf obliged to act in every thing as he thought fit. "But," ſaid Lælius, "if he had or-"dered you to ſet the Capitol on fire, would you "have done it?" "Oh," replied Bloſius, "he was "not capable of giving me ſuch an order." But, ſaid Lælius, ſtill inſiſting upon the ſame queſtion, "Suppoſe he had commanded it?" "I ſhould have "obeyed him," ſaid the other. "A wicked and cri-"minal aſſent!" cries Lælius; who takes occaſion from hence to lay down this excellent principle, * "That we ought never to aſk our friends to do what is bad, nor do ſuch things ourſelves, when aſked by them: for friendſhip never can be admitted as an excuſe or reaſon for committing any crime whatſoever, and ſtill leſs for acting againſt one's country." Accordingly Lælius obſerves in the ſame paſſage, that the friends of Tiberius, and Q. Tubero among the reſt, abandoned him, when they apprehended, that he was forming deſigns againſt the State. He clearly affirms, that he endeavoured to make himſelf King, or rather had actually reigned during ſome months. Theſe terms are very ſtrong: but undoubtedly mean no more, than the exorbitant power Tiberius aſſumed in the Commonwealth, and not the formal deſign of taking upon him the name of King, with the diadem and ſcepter. Lælius was too judicious to adopt popular rumours ſo void of probability.

* Hæc igitur prima lex in amicitia ſanciatur, ut neque rogemus res turpes, nec faciamus rogati. Turpis enim excuſatio eſt, & minimè accipienda, cùm in ceteris peccatis, tum ſi quis contra remp. ſe amici causâ feciſſe fateatur. De Amicit. 40.

Ti. quidem Gracchum remp. vexantem, à Q. Tuberone æqualibuſque amicis derelictum videbamus, 37.

Ti. Gracchus regnum occupare conatus eſt: vel regnavit is quidem paucos menſes, 40.

However,

However, the Senate perceiving that it was neceſ- A. R. 620. Ant. C. 132.
ſary to give the People ſome ſatisfaction, conſented, that the law for the diſtribution of lands ſhould be put in execution; and that a Commiſſioner, or Triumvir, ſhould be appointed to ſupply the place of Tiberius. The choice fell upon P. Craſſus, whoſe daughter Licina was married to Caius.

This conduct of the Senate however did not appeaſe the People, and it was evident, that they only waited an occaſion to revenge the death of Tiberius. Many publickly threatened to proſecute Scipio Naſica juridically; and as ſoon as he appeared, crowds gathered about him, calling him impious wretch, tyrant, villain, who had polluted the moſt venerable and moſt auguſt temple of Rome with the blood of a ſacred and inviolable magiſtrate. The Senate, alarmed for a man ſo dear to them, ſaw themſelves obliged, in order to remove him from danger to a place of ſafety, to make him quit Italy, though he was then in the higheſt office of the prieſthood, being Pontifex Maximus. Accordingly he was ſent to Aſia with a ſeeming commiſſion, that concealed a real baniſhment. The troubles excited in that country by Ariſtonicus, after the death of Attalus Philometor the laſt King of Pergamus, ſupplied the Senate with a plauſible pretext for ſending him thither. He did not live long there. His grief, on account of leading a wandring life out of his country, occaſioned his death very ſoon after his arrival at Pergamus. * Lælius could not think of the ſad fate of ſo illuſtrious a perſon, without being ſo much moved as to ſhed tears. Cicero mentions him every where with praiſe. In his pleading for Milo, † he compares him to Ahala, who killed Sp. Mælius; and ſays, that both of them, by deſtroying pernicious citizens, had filled the world with their

* Quid in P. Naſicam effecerint, ſine lachrymis non queo dicere. De Amicit. 41.

† Sp. Mælium—Ti. Gracchum—quorum interfectores implerunt orbem terrarum ſui nominis gloriâ. Pro Mil. 72.

glory.

A. R. 620. Ant. C. 132. glory. In another * place he extols his valour, wiſdom, and greatneſs of ſoul; and affirms, that the beſt citizens conſidered him as the deliverer of the Commonwealth. But who does not diſcern in theſe exceſſive praiſes, given to the author of ſo criminal a violence, the ſpirit of party, that injures every thing, and never ſuffers men to keep within juſt bounds? Naſica had reaſon to oppoſe Tiberius; but his having inhumanly maſſacred him, is ſo far from meriting praiſe, that it is really inexcuſable.

A. R. 621. Ant. C. 131.

P. LICINIUS CRASSUS.
L. VALERIUS FLACCUS.

The firſt of theſe two Conſuls is the perſon who had lately been created Triumvir for the diſtribution of the lands in the room of Tiberius. He was ſent into Aſia againſt Ariſtonicus, and periſhed there, as has been related.

Caius Gracchus, at the time immediately after his brother's death, whether through fear of his enemies, or to turn the hatred of the publick upon them by affecting to fear them, thought proper not to appear in the aſſemblies, and to live quietly in private. But this retirement was of no long continuance, and this very year he came into the Forum to ſupport Carbo, who laboured to reanimate Tiberius's party.

C. Papirius Carbo, then Tribune of the People, was one of the moſt eloquent orators of his times, and often employed his talent in deploring the death of Tiberius. He propoſed two laws, both contrary to the deſires and power of the Great. The firſt introduced the method of ſcrutiny in deliberations upon new laws. I have ſpoke of it above. The ſecond met with great difficulties, though ſupported by Caius, and was at laſt rejected. Lælius, and eſpeci-

* Pater tuus (Cicero ſpeaks of Fufius Calenus) homo ſeverus & prudens, primas omnium civium P. Naſicæ, qui Ti. Gracchum interfecit, dare ſolebat. Ejus enim virtute, conſilio, magnitudine animi liberatam rempublicam arbitrabatur. Phil. viii. 13.

ally

ally Scipio Africanus, lately returned from Numantia, ſtrongly oppoſed it. On this occaſion Scipio had very warm conteſts with the Tribune, and even loſt the favour of the People, who had been extremely attached to him before. The affair happened as follows. A. R. 621. Ant. C. 131.

Carbo continually harped upon the murder of Tiberius, and in a diſpute with Scipio, aſked him, what his thoughts were upon that head? He was in hopes of drawing from him an anſwer favourable to his views, ſays Valerius Maximus, becauſe Scipio was the brother-in-law of the Gracchi, having married their ſiſter; or, perhaps, being well apprized of what he would anſwer, his deſign was to make him odious to the multitude. However that were, Scipio was much above both thoſe conſiderations. Whilſt he was before Numantia, he had declared himſelf publickly on this ſubject. For on being told the news of Tiberius's death, he repeated with a loud voice a verſe of Homer's, the ſenſe of which is: * "Periſh like "him who imitate his deeds." On the preſent occaſion, he perſiſted in his firſt opinion, and ſaid, that he believed Tiberius had well deſerved the death he had ſuffered. The people were exaſperated by this anſwer: and Scipio was interrupted by cries of indignation and murmurs, which he had never experienced before. But that great man, with the authority which ſuperior merit gives, and only can give, ſilenced them with a tone of command: and as the noiſe was undoubtedly raiſed by numbers of the loweſt of the rabble, probably mingled with ſtrangers and ſlaves, † "Silence, you there," ſaid he, "to whom Italy is "but the mother-in-law, not the mother." That haughty tone, and thoſe ſtrong terms, excited new cries amongſt the multitude. But Scipio, far from giving way to them, perſiſted more warmly than before in his reproaches. "Do ‡ not imagine," ſaid Val. Max. vi. 2.

* Ως ἀπόλοιτο καὶ ἄλλος, ὅστις τοιαῦτά γε ῥέζοι. Odyſſ. I. 47.
† Taceant quibus Italia noverca eſt.
‡ Non efficietis ut ſolutos verear quos alligatos adduxi.

he,

A. R. 621. Ant. C. 131. he, "that I can fear thoſe whom I brought hither in "chains, though they are now unbound." This laſt expreſſion had its effect, and made the whole aſſembly ſilent. But from that inſtant Scipio began to decline in the favour of the people, and continued to do ſo to his death.

A. R. 622. Ant. C. 130.

C. CLAUDIUS PULCHER.
M. PERPENNA.

This year the ceremony of cloſing the Luſtrum was performed. The Roman citizens were found by the Cenſus to amount to three hundred and thirteen thouſand eight hundred and twenty-three.

The Cenſors were Q. Metellus Macedonicus, and Q. Pompeius, both Plebeians. Both the Cenſors were originally choſen out of the Patricians. C. Marcius Rutilus was the firſt Plebeian who poſſeſſed this office; and during two hundred and twenty years, it had been the cuſtom to aſſociate a Patrician and a Plebeian in the Cenſorſhip. This year for the firſt time both Cenſors were elected out of the order of the People.

Metellus, during his Cenſorſhip, made a ſpeech to the People, to exhort the citizens to marry. Celibacy, which is ſo honourable and worthy of praiſe with part of the Chriſtian World, was amongſt the Pagans only an occaſion of abandoning themſelves to debauchery with more licentiouſneſs, and to ſpare themſelves the cares that attend the education of children, a matter of ſo great importance to the Commonwealth. This abuſe had already began to be introduced at Rome; ſuch a progreſs had corruption of manners made there in a ſhort time. Aulus Gellius has preſerved two fragments of the diſcourſe of Metellus upon this ſubject. The one includes a very fine reflection, as follows.

Aul. Gell. i. 6.

It appears, that in the preceding part of it not come down to us, Metellus laments the corruption of manners, and endeavours to make the people apprehend

hend in conſequence that they would draw down the wrath of the gods upon them. And to make them ſenſible that it was in vain for them to rely upon the divine goodneſs, * "The immortal gods," ſaid he, "are not obliged to will us more good than our fa-"thers. But fathers diſinherit incorrigible children. "What then can we expect from the immortal gods, "if we do not put an end to our diſorders? Thoſe "only have a right to promiſe themſelves the divine "favour, who do not hurt themſelves by their vices." He concludes with this principle ſo grateful to human pride: "For the gods ought to reward, but not give "virtue." A. R. 622. Ant. C. 130.

The other fragment is no compliment to the ladies. I repeat it merely as an hiſtorian, without approving the ſatire it contains. † "If human ſociety," ſays the ſevere Cenſor, "could ſubſiſt without women, "we ſhould all ſpare ourſelves the troubles and "inconveniences they occaſion. But becauſe nature "has ordained, that we can neither live with them "commodiouſly enough, nor by any means without "them, it is better to determine in favour of the "propagation of our ſpecies, than merely to conſult "our convenience, in gratifying a ſhort and fleeting "appetite."

Who would believe, that a man of Metellus's rank, and actually Cenſor, ſhould be in danger of loſing his life at noon-day, and that by the puniſhment inflicted upon the greateſt of criminals? This odious exceſs was a new fruit of Tribunitian violence. Metellus had excluded C. Atinius Tribune of the People from the Senate. The latter, actuated by a fran-

* Dii immortales—non plus velle debent nobis, quàm parentes. At parentes, ſi pergunt liberi errare, bonis exheredant. Quid ergo nos à diis immortalibus diutius exſpectamus, niſi malis rationibus finem facimus? His demum deos propitios eſſe æquum eſt, qui ſibi adverſarii non ſunt. Dii immortales virtutem approbare, non adhibere debent.

† Si ſine uxore poſſemus, Quirites, eſſe, omnes eâ moleſtiâ careremus. Sed quoniam ita natura tradidit ut nec cum illis ſatis commodè, nec ſine illis ullo modo vivi poſſit; ſaluti perpetuæ potiùs, quàm brevi voluptati conſulendum.

tick

A. R. 622. Ant. C. 130. tick deſire of revenge, having obſerved the Cenſor, on his return at noon from the field of Mars, in the heat of the day, when the Forum and Capitol were entirely empty, he ordered him to be ſeized, in order to his being carried to, and thrown down the Tarpeian rock. The ſons of Metellus, (he had four, all principal perſons of the Senate) being informed of their father's danger, flew to his aid. But what could they do againſt a magiſtrate, whoſe perſon was ſacred and inviolable? The Cenſor was forced to make the Tribune's officers drag him, to gain time by that reſiſtance. This cauſed him to be treated ſo roughly, that the blood came out of his ears. But at length a Tribune was found, who took him under his protection, and ſaved him from his Collegue's fury. * "Does this reflect any praiſe upon the manners of theſe times," ſays Pliny, who has preſerved an account of this fact; "or is it not rather new matter of indignation, that in the midſt of ſo many Metelli, the criminal inſolence of Atinius ſhould have paſſed with entire impunity?"

A. R. 623. Ant. C. 129. C. SEMPRONIUS TUDITANUS.
M. AQUILIUS.

The three commiſſioners nominated for the diſtribution of lands, C. Gracchus, C. Carbo, and M. Fulvius Flaccus, the two latter of which had ſucceeded Ap. Claudius and P. Craſſus, began to excite great troubles at Rome. The enquiry to be made by them was the moſt difficult, moſt complicated, and perplexing, that could poſſibly be imagined. The various changes, which had been made in the lands in queſtion, by removing of bounds; by marriages, that had transferred them from one family to another; by ſales, either real or pretended, and covered by a long and peaceable poſſeſſion; thoſe things would not

* Quod ſupereſt, neſcio morumne gloriæ, an indignationis dolori accedat, inter tot Metelios tam ſceleratam C. Atinii audaciam ſemper fuiſſe inultam. PLIN. vii. 44.

admit

admit diſtinguiſhing which of ſuch lands belonged to the publick, and which to particulars; and which were poſſeſſed under legal titles, or in conſequence of unjuſt, though ancient, uſurpations. Theſe difficulties, become unſurmountable through length of time, had always, as we have already obſerved, made the wiſeſt and moſt worthy perſons of the Commonwealth condemn new diſtributions of lands, which would have occaſioned a ſtrange and inevitable reverſe in the affairs of moſt families, even though the moſt intelligent and impartial perſons had been appointed to make them. What then was to be expected from Commiſſioners elected for this enquiry, who acted only from paſſion, enmity, or intereſt? A. R. 623. Ant. C. 129.

Accordingly, from all the countries of Italy, allies and citizens, frightened and in deſpair through theſe enquiries, came in crowds to Rome, to repreſent the exceeding danger and misfortunes that threatened them to the Senate. They addreſſed themſelves principally to Scipio Africanus, under whom moſt of them had long ſerved, as to the perſon whom they conceived to have moſt credit in the State, and to be the moſt zealous for the public good. This is what is ſo particularly repeated in Scipio's dream. * "At your return from Numantia," ſays the firſt Scipio Africanus to the ſecond, of whom we are ſpeaking, "you will find the Commonwealth in ter-
"rible confuſion, occaſioned by my grandſon [Tibe-
"rius Gracchus.] It is now, my dear Africanus,
"you muſt uſe your great capacity, prudence, and
"courage, for the defence of your country. The
"Senate, all good men, the allies, the Latines, will
"caſt their eyes on you alone. You will be conſi-
"dered as the ſole ſupport of the State. In a word, Appian.

* Cùm eris curru Capitolium invectus, offendes remp. perturbatam conſiliis nepotis mei. Hic tu, Africane, oſtendas oportebit patriæ lumen animi, ingenii, conſiliique tui—In te unum atque tuum nomen ſe tota convertet civitas. Te Senatus, te omnes boni, te ſocii, te Latini intuebuntur. Tu eris unus in quo nitatur civitatis ſalus. Ac, ne multa, Dictator remp. conſtituas oportet, ſi impias propinquorum manus effugeris. Somn. Scip. in fragm. Cicer.

A. R. 623. Ant. C. 129. "if you can preſerve yourſelf from the impious hands "of your neareſt relations, inveſted with the ſupreme "authority of Dictator, you muſt re-eſtabliſh good "order in the Commonwealth."

This was his full deſign. He could not refuſe himſelf to the complaints of ſo many perſons of worth, and ſpoke ſtrongly in their favour in the Senate, without condemning the law of Tiberius directly and in itſelf, to avoid irritating the People, but contenting himſelf with ſetting in their full light, all the difficulties that would attend the execution of that law. He confined himſelf to demanding, that the conteſts, which ſhould ariſe on this ſubject, ſhould not be left to the deciſion of the three Commiſſioners, who were too much ſuſpected by the parties concerned. The Senate came into this opinion, and gave the cognizance of all controverted matters relating to the diſtribution of lands, to the Conſul Sempronius. But this remedy remained without effect; becauſe the Conſul, who from the firſt perceived the difficulty of the commiſſion, or rather the impoſſibility of bringing it to a good iſſue, ſet out for Illyricum, which was his province.

Appian. The People ſeeing that their hopes were poſtponed, and that an affair, in which they were ſo much intereſted, began to cool, broke out with violence againſt Scipio, reproaching him, that notwithſtanding all the favours with which they had loaded him, having choſen him twice Conſul without ſtanding for that office, he abandoned their intereſts. The three Commiſſioners took advantage of theſe diſpoſitions of the People, and ſpread a report, that preparations were making to annul the law by force, and by the method of arms. Caius went ſo far as to ſay, ſpeaking of Scipio in the aſſembly, "that it was neceſſary "to rid themſelves of the tyrant." "The enemies "of their country," replied that great man, "have "reaſon to wiſh my death; for they well know, "that Rome cannot fall whilſt Scipio lives; nor Sci-"pio live, if Rome ſhould fall." The day before his

Plut. Apophthegm. Rom.

his death he was again attacked by Fulvius, the moſt A. R. 621. Ant. C. 129.
inſolent of the Triumviri, who inveighed againſt him in the aſſembly of the People with the utmoſt rancour. Scipio, uneaſy from the deſigns which he knew were forming againſt his life, could not forbear complaining of them, and ſaying, "that he was very ill rewarded for his ſervices by wicked and ungrateful citizens." The zeal of the good increaſed for him in proportion with the hatred of the bad: and this may be ſaid to have been the moſt glorious day of his life. On quitting the aſſembly, the Senators, the Allies, and the Latines, conducted him in a body, and in a kind of triumph, to his houſe. They did not know, that theſe were a kind of funeral honours, which they paid him by anticipation. He was found dead the next day in his bed. He was fifty-ſix years of age. How great was the grief of all good men at Rome! What * groans did they not vent, when they ſaw, that the enemies of Scipio could not wait the natural term of his life, and by the moſt horrid of crimes had haſtened the death of a citizen, whom they ought to have wiſhed immortal! Cic. pro Mil. 10.

It is not to be doubted, but this black deed was perpetrated by the faction of the Gracchi; and it is hard to believe, that Caius had not an hand in it, as all who were moſt nearly attached to him were violently ſuſpected of it. Plutarch ſays ſo expreſsly of Fulvius: Pompey conſidered Carbo as undoubtedly the author of it. Sempronia, the ſiſter of the Gracchi, and wife of Scipio, is charged by the epitome of Livy and Oroſus: and Appian aſſociates their mother Cornelia with her. From the teſtimonies of theſe different authors it reſults, that Sempronia, who did not love her huſband, and was not beloved by him, becauſe ſhe was ugly and barren, having eaſily been into the inſtances of Cornelia and the Triumvir, either gave Scipio poiſon, or cauſed aſſaſſins to Cic. ad Q. Fr. ii. ep. 3.

* Quis tum non gemuit? Quis non arſit dolore? Quem immortali fieri poſſet, omnes eſſe cuperent, hujus ne neceſſariam quidem expectatam eſſe mortem! Cic.

A. R. 623. Ant. C. 129. Auct. de vit. Illuſt.

enter the houſe in the night, who ſtrangled him. P. terculus adds, that marks were found on his neck, o the violence that had been done to him: and the un uſual precaution taken in carrying him to his tom with his head covered over, ſeems to argue that th eyes of the curious were apprehended. What muc augmented ſuſpicions, and occaſioned the complain of all good men, was, that no enquiry was mad concerning the death of ſo great a perſon; and Plu tarch does not leave us in ignorance in reſpect to t ſurprizing an omiſſion. "This was, ſays he, be cauſe the people were afraid, that if the affair wo traced to the bottom, Caius might be found cri minal."

Behold to what horrors ambition is capable of ca rying mankind! Caius was born with a very fine ge nius, and the moſt happy diſpoſition to virtue. Th boundleſs deſire of aggrandizing himſelf at any pri whatſoever, leads him on to ſhare in the moſt deteſt ble aſſaſſination in all its circumſtances, that ever w committed, to the murder of an ally, relation, th principal citizen of Rome, and the greateſt of mankin

An honour, cuſtomary to illuſtrious perſons, w however not paid to Scipio. No publick funeral w made for him, that is, decreed by the public auth rity, and at the expence of the State. But the live and ſincere affliction of the moſt diſtinguiſhed citize of all orders, that attended his body to its interm ſupplied its place. Q. Metellus Macedonicus, w had always oppoſed Scipio, however ſent his ſons pay him the laſt duties. "Go, ſons," ſaid he to the "you will never ſee the obſequies of a greater ma "nor of a better citizen." Q. Fabius Maxim his nephew, made his funeral oration, of which cero has preſerved us a very memorable ſtroke. * thanked the gods, that Scipio was born at Rom "For," added he, "there was an inevitable ne

Plin. vii. 44.

* Gratias egit diis immortalibus, quòd ille vir in hac repu potiſſimum natus eſſet. Neceſſe enim fuiſſe, ibi eſſe terrarum i rium, ubi ille eſſet. Pro Mur. 73.

"ſity, that the empire of the world ſhould follow "the fate of that great man, and be the State's of "which he ſhould have been a citizen." A. R. 623. Ant. C. 129.

The ſame Q. Fabius, on giving a feaſt to the People according to cuſtom, in honour of Scipio Africanus, deſired Q. Tubero, the nephew of Scipio, to take care of a table. Tubero carried his averſeneſs to luxury into the ancient ſimplicity, and even to the love of poverty. That zeal, ſo laudable in other reſpects, was ill-timed here. As if he had been to pay honour to the death of a cynic philoſopher, and not of the great Scipio, he contented himſelf with the moſt ſimple and coarſe beds for the table, which he covered with goat-ſkins: and inſtead of ſilver plate, he cauſed the proviſions to be ſerved in earthen diſhes. * People were ſo much diſguſted with that indecency, that ſome time after, when he ſtood for the Prætorſhip, notwithſtanding his perſonal merit and illuſtrious birth, his goat-ſkins drew upon him the diſgrace of a refuſal. Cicero makes a judicious reflection on this head. "The Roman People, ſays he, hate luxury in private perſons, but love magnificence in what relates to the publick. They do not approve exceſſive expences in feaſts; but hate what is indecently ſordid and penurious. They are for diſtinguiſhing times and occaſions." Cic. pro Mur. 75, 76. Val. Max. vii. 5.

Scipio Africanus was rich, but infinitely remote from a taſte for the expence and pomp which uſually attend riches. It is obſerved of him, that he never made purchaſes, ſold, or built. At his death all the ſilver-plate he had, amounted only to thirty-two pounds, and the gold to only two pounds and an half; an evident proof, that thoſe who have perſonal merit, and are great of themſelves, can ſupport the dignity Plut. Apoph. Plin. xxxiii. 11. Auct. de vit. Illuſt.

* Itaque homo integerrimus, civis optimus, cùm eſſet L. Pauli nepos, P. Africani ſororis filius, his hœdinis pelliculis prætura deſectus eſt. Odit populus Romanus privatam luxuriam, publicam magnificentiam diligit. Non amat profuſas epulas, ſordes & inhumanitatem multo minùs. Diſtinguit rationem officiorum ac temporum. Cic.

A. R. 623. Ant. C. 129. of the higheſt honours and offices, without the glare of pomp and magnificence.

He was, as we have ſaid before, the ſon of the famous P. Æmilius, who conquered Perſeus, laſt King of Macedonia. He was adopted by the ſon of the firſt Scipio Africanus, and called P. Cornelius Scipio Africanus Æmilianus, uniting, according to the cuſtom of adoption, the names of both families. He * ſuſtained, and even increaſed their glory, by all the great qualities that could adorn the gown and the ſword. During the whole courſe of his life, ſays an hiſtorian, his actions, diſcourſe, and ſentiments, had in them but what was highly laudable.

And indeed he may be conſidered as the moſt accompliſhed hero Rome ever produced. In war, as a Soldier and General, he equally diſtinguiſhed himſelf in ſubaltern employments and the command of armies. With intrepid valour, and exalted greatneſs in his views, he united a conſtancy in ſupporting good diſcipline, that contributed more to his victories, than even the force of arms. He knew both how to make war, and to conquer without coming to blows. His grandfather, the firſt Africanus, gained more battles. But without entering here into a compariſon above my capacity, it is certain, that his taking the cities of Carthage and Numantia are great and admirable exploits.

In the management of civil affairs our Scipio ſhewed himſelf no leſs an hero. Full of the love of his country, and always firmly attached to public good, he made all other conſiderations give place to that one object. In that point he gave proofs of his ſuperior capacity, conſtancy, greatneſs of ſoul, and contempt of the greateſt dangers; and laſtly, met with death from it, which had ſpared him in the hazards of war.

* P. Scipio Æmilianus, vir avitis P. Africani paterniſque L. Pa virtutibus ſimillimus, omnibus belli ac togæ dotibus, ingeniique ſtudiorum eminentiſſimus ſeculi ſui: qui nihil in vita niſi laudand aut fecit, aut dixit, aut ſenſit. VELL. PATERC. l. 12.

Wh

What ſhall I ſay of his domeſtick and private conduct? What generoſity, elevation of ſentiments, and ſimplicity, united with the greateſt fortune and genius! He was liberal and beneficent, a good ſon, a good relation, a good friend; mild and good-natured without weakneſs, and firm without auſterity. A. R. 623. Ant C. 129.

A circumſtance that had eſcaped us, comes in here opportunely enough. When he ſet out for Africa, a man, who had long been attached to him, and paid him his court very aſſiduouſly, aſked him for the poſt of * commander of the pioneers in his army: this was a gainful employment amongſt the Romans; and as Scipio refuſed it him, he was very much out of humour. † "Don't wonder," ſaid Scipio, with admirable ſenſe and calmneſs, "that you are denied "by me the employment you deſire. I have long "preſſed one to accept it, who, I believe, will have "my reputation at heart, and cannot yet prevail "upon him to take it." He knew, as Cicero obſerves, that perſons in high ſtations are accountable for the conduct of thoſe they employ about them; and conſequently, if they are nice in point of reputation, they ought to deſire friends of merit to accept offices of truſt, and not beſtow them as favours. Cic. ii. in Verr. 28, 29.

Scipio loved letters: and with a ſoul naturally heroick, he cultivated the gifts of nature by the ſtudy of polite knowledge. As his genius was no leſs ſolid than bright, he loſt none of the fruits of application: he was leſs intent on acquiring the agreeable than the uſeful; leſs the merely ornamental, than what tends to improve the heart, the manners. Perceiving well how much he owed to letters, he was conſtantly attached to them: and after having devoted himſelf ar-

* Præfectus Fabrûm.

† "Noli," inquit, "mirari, ſi tu à me hoc non impetras. Ego "jampridem ab eo, cui meam exiſtimationem caram fore arbitror, "peto ut mecum præfectus profiſiſcatur, & adhuc impetrare non poſ-"ſum." Etenim revera multo magis eſt petendum ab hominibus, ſi ſalvi & honeſti eſſe volumus, ut eant nobiſcum in provinciam, quàm hoc illis in beneficii loco deferendum. Cic.

A.R. 623. Ant. C. 129.

dently to them in his youth, he always perſiſted in his commerce with them, even when in the higheſt occupations. What I have ſaid on this ſubject may be ſeen where I have ſpoke of the private life of this great man. I ſhall add here, that * Xenophon was his favourite author. He found in him all he could deſire: the moſt grateful amuſements after cares, with ſolid leſſons both as to morals, and even war, of which he never loſt ſight.

To all theſe ineſtimable advantages, which he derived from the ſtudy of the polite arts, let us add, that he formed himſelf alſo by the ſame method for the talent of ſpeaking, ſo neceſſary in a Commonwealth, in which the affairs of the univerſe were decided by the deliberations of the Senate and People. I have already obſerved, that Cicero ſets no leſs value upon the eloquence of Scipio, than upon that of Lælius: and he characterizes it by attributes, that entirely ſuit ſo great a man: † majeſty, authority, force of thoughts, and elevations of ſentiments. It ſpoke the auguſt chief, who gave the law to the People, and did not receive it from them.

Scipio united therefore in himſelf alone all the virtues that conſtitute the Warrior, the Stateſman, the Citizen, and the Man. But what is entirely ſingular, hiſtory does not mention one ſingle blot in ſo great a life: it praiſes him without exception; and no part of his conduct ſtands in need of the leaſt apology.

The authority and counſels of Polybius were very uſeful to him, as I have ſaid before, in attaining ſo high a degree of glory. This is a fine example for young perſons of high rank. They would ſtill find Polybius's, if they ſought them, and might themſelves become Scipio's.

* Africanus ſemper Socraticum Xenophontem in manibus habebat. Tuſc. Quæſt. ii. 62.

† Quanta illa, dii immortales! fuit gravitas? (Lælius ſays this of a ſpeech of Scipio's) quanta in oratione majeſtas? ut facilè ducem populi Romani non comitem diceres. De Amic. n. 96.

Durin

During the two years that ſucceeded the death of Scipio Africanus, hiſtory is ſilent concerning the conteſts occaſioned by the diſtribution of lands. We only know from Plutarch, that Caius kept the Nobility in continual apprehenſion, by the virtues and talents that ſhone out in his perſon. They ſaw him infinitely averſe to idleneſs and luxury, neither giving into debauch, nor taking pains to acquire riches: beſides which, he applied himſelf to eloquence, that ſupplied him with arms to ſuſtain the conflicts of the Forum. Every body knows, that at Rome there were * only two methods for attaining the principal dignities, the merit of a great General, and that of a good Orator. Theſe two talents were conceived almoſt on a level with each other: the one defended the State againſt the enemy abroad, and the other ſupported the citizens, and even the Commonwealth, at home. A. R. 623. Ant. C. 129.

Caius gave proofs of the progreſs he had made in reſpect to eloquence, in a cauſe which he pleaded for one of his friends called Vettius. The people were ſo tranſported with the pleaſure of hearing him, that they could not refrain from publickly expreſſing their joy. They thought they ſaw a ſecond Tiberius in him, and a new protector of the Agrarian laws. Accordingly, ſays Plutarch, Caius, on this occaſion, made the other orators appear like children compared with him. This great ſucceſs rendered him ſtill more ſuſpected and formidable to the Nobility; and from thenceforth they agreed, that it was neceſſary to ſpare no methods for preventing him from attaining the Tribuneſhip.

* Duæ ſunt artes quæ poſſuut locare homines in ampliſſimo gradu dignitatis: una imperatoris, altera oratoris boni. Ab hoc enim pacis ornamenta retinentur: ab illo belli pericula repelluntur. Pro Mur. 30.

A. R. 626. Ant. C. 126.

M. ÆMILIUS LEPIDUS.
L. AURELIUS ORESTES.

Caius having been elected Quæſtor, the province of Sardinia fell to him by lot, under the Conſul Oreſtes. The Quæſtorſhip was the firſt ſtep in the order of dignities. His enemies were extremely pleaſed to ſee him obliged by his office to remove from the city and the aſſemblies of the People; and on his ſide, he rejoiced no leſs than they, becauſe he naturally loved war, and had exerciſed himſelf no leſs in arms than in eloquence. Beſides which, during the office of Tribune, which had been ſo fatal to his brother, and not finding himſelf capable of reſiſting the People and his friends, who called upon him to accept it, he eagerly ſeized this occaſion of abſence, which was become neceſſary to him, and much to his taſte.

If we admit this, it muſt be allowed that he threw himſelf into the affairs of government, rather through neceſſity than choice. It is however certain, that Caius deſired it might be thought ſo. For as Cicero tells us, he himſelf related a dream to every body, that implies a repugnance in him overcome by fatality only. He ſaid, that at the time when he ſtood for the Quæſtorſhip, his brother Tiberius appeared to him in a dream, and told him: "Caius, it is in vain to fly: "the fates prepare for you a like deſtiny to mine."

Cic. de Divin. i. 56. Plut. Val. Max. i. 7.

Caius, on arriving in Sardinia, gave all manner of proof of great merit. He diſtinguiſhed himſelf above all the other young perſons by his valour againſt the enemy, by his equity and juſtice to all under him, and by his affection and reſpect for his General. But as to what regarded temperance, a taſte for ſimplicity, ſobriety and love of labour, he excelled even thoſe that were of more advanced years than himſelf.

The winter happened this year to be very hard and unwholſome in Sardinia. The General ſent to the cities

cities to demand cloaths for his ſoldiers. The cities at the ſame time ſent deputies to the Senate, to deſire to be exempted from this taxation, which exceeded their power. The Senate heard their requeſt favourably, and ordered the Conſul to ſeek cloathing for his troops elſewhere. This order did not a little perplex him; becauſe he knew no means of furniſhing the expence, and relieving the ſoldiers, whom he ſaw with pain ſuffer extremely from the rigour of the weather. Caius, who was highly eſteemed and beloved throughout the whole iſland, went from city to city, and by his eloquence prevailed upon them all to ſend habits, and to aid the Romans in ſo preſſing a neceſſity of their own accord. This example ſhews of what importance it is to treat a people well, and to acquire their affection. A. R. 626. Ant. C. 126.

The news of this being carried to Rome, ſo great a ſervice ſeemed an eſſay and prelude to what Caius would do to gain the affection of the People, and very much troubled the Senate. Their jealouſy, or rather ill-will, roſe ſo high, that Ambaſſadors, who arrived at Rome about the ſame time from King Micipſa, having declared to the Senate, that the King their maſter, out of conſideration for Caius, had ſent a great quantity of corn to the Roman General in Sardinia; they were highly offended, and made the Ambaſſadors retire.

M. PLAUTIUS HYPSÆUS. A. R. 627. Ant. C. 125.
M. FULVIUS FLACCUS.

Fulvius, the Conſul of this year, was one of the three Commiſſioners for the execution of the Agrarian law, a turbulent man, who to conſole the allies for the loſs of the lands taken from them, ſupported, with the whole authority of the Conſulſhip, the project ſet on foot by Tiberius, as I have ſaid above, to give all the States of Italy the freedom of Rome. Happily for the publick tranquility, the people of Maſſylia [Marſeilles] ſent deputies to Rome to demand App. de Bell. Civ.

A. R. 627. Ant. C. 125. mand aid againſt the Gauls, their neighbours, who infeſted them. The care of this war, with which Fulvius voluntarily charged himſelf in hopes of a triumph, delivered the city for ſome time from that factious man.

Freinſhem. In theſe circumſtances, a conſpiracy, which had been long forming, broke out on a ſudden, by the revolt of Fregellæ, a city of Latium. But it was ſuppreſſed in its birth by the care of the Prætor L. Opimius, who beſieged the city and took it. If this conſpiracy had not been diſcovered in time, it might then have occaſioned the general defection of the allies, which afterwards highly endangered the Commonwealth. That Prætor, who was a declared enemy of the family of the Gracchi, in the account which he gave the Senate of that conſpiracy, threw out ſome ſuſpicions of Caius, and repreſented facts in ſuch a manner, as to make him ſeem the principal ſecret promoter of the enterprize.

A. R. 628. Ant. C. 124.

C. CASSIUS LONGINUS.
C. SEXTIUS CALVINUS.

L. Aurelius had now been two years in Sardinia. He was however continued in the command in the ſame province this year, and new troops were ſent him to relieve thoſe who had hitherto done good ſervice under him. The Senate's principal deſign in continuing the command to Aurelius in Sardinia, was to keep Caius there alſo, in quality of Proquæſtor, and to prevent him, under that pretext, from appearing at Rome, where his preſence was dreaded. But Caius did not give into this ſnare, but embarked for Rome, where he appeared on a ſudden, when he was believed to be ſtill in Sardinia. His enemies did not fail to make this a crime, and took this occaſion for rendering him odious, as a bold and daring young man, who ſet himſelf above the laws. The People themſelves at firſt condemned ſo precipitate a retreat

and thought it ſtrange for a Quæſtor to come home before his General. A. R. 629. Ant. C. 124.

Being obliged to appear before the Cenſors to give them an account of his conduct, he defended himſelf with abundance of force and modeſty. He repreſented to them, "That he had ſerved twelve years in the field, though the laws required only ten. That he had continued two entire years with his General acting as Quæſtor, though the law permitted a Quæſtor to retire after one year of ſervice. * That during the whole time he had not received a ſingle obolus as a preſent from the allies, and had not ſuffered them to be at any expence on his account. That if it could be ſaid that any debauched women had entered his houſe, he ſubmitted to be conſidered as the laſt and moſt contemptible of mortals. He added, that he was the only one of this army, who had carried out his purſe full of money, and had brought it back empty; whereas all the reſt had drank up the wine they had carried out in their flaggons, and had brought home the ſame flaggons full of gold and ſilver." He pleaded his cauſe ſo well, that he brought over all that were preſent to his ſide; and his judges were convinced, that great injuſtice had been done him.

After this affair, many others were ſet on foot, and ſeveral ſtill heavier articles of accuſation were formed againſt him. For he was accuſed of having ſollicited the allies to take arms againſt the Romans, and of having had a ſhare in the revolt of Fregellæ. But he defended himſelf ſo well againſt the heads laid to his charge, that he entirely removed all the ſuſpicions that had been propagated againſt him. When he had

* Ita verſatus ſum in provincia, ut nemo poſſit verè dicere aſſem aut eo plus in muneribus me accepiſſe; aut mea opera quemquam ſumptum feciſſe—Si ulla meretrix domum meam introivit—omnium meatorum poſtremum nequiſſimumque exiſtimatote. Itaque, Quirites, cum Roma profectus ſum, zonas, quas plenas argento extuli, eas ex provincia inanes retuli. Alii vini amphoras, quas plenas tulerunt, eas argento plenas domum reportaverunt. Apud AUL. GELL. xv. 12.

purged

A. R. 628. Ant. C. 142. purged himſelf of them, he applied himſelf to canvaſſing for the Tribuneſhip.

All the Nobility and Rich in general oppoſed him in this demand, of which they extremely apprehended the conſequences. But the People were ſo highly in his intereſt, that a kind of inundation of citizens came from all parts of Italy to ſhare in his election. The multitude of them was ſo very great, that vaſt numbers could not find lodging, and the Field of Mars being too little to contain them all, they gave their ſuffrages with loud voices from the roofs of houſes. All the advantage the Nobles acquired from the pains they had taken, was the ſlight mortification they gave Caius, in being choſen only fourth, whereas he expected to have been nominated firſt. But they did not get much by that. For he no ſooner entered upon office, than he became the firſt by the ſuperiority of his merit to that of all his Collegues.

Cicero * makes no difficulty to ſay, that Caius had talents, if he had lived longer, to have equalled his father Gracchus, and his grandfather Scipio Africanus. He extremely regrets, that he choſe rather to approve his zeal for his brother's memory, than piety to his country: and he owns, that the State and Letters were equally loſers by his death. As to his eloquence, he gives it the higheſt praiſes. He extols his noble diction, ſolid thoughts, rich abundance, and a majeſtic gravity and force, that placed him much above all the orators that had appeared till then at Rome, and which were capable of carrying him on to a degree of perfection, that would have left him no cauſe to fear that he ſhould ever have a ſuperior.

* Noli putare, Brute, quemquam pleniorem & uberiorem ad di cendum fuiſſe—Damnum, illius immaturo interitu, res Romanæ La tinæque litteræ fecerunt. Utinam non tam fratri pietatem quàm p triæ præſtare voluiſſet! Quàm ille facilè tali ingenio, diutius ſi vixiſſ vel paternam eſſet vel avitam gloriam conſecutus: Eloquentia quide neſcio an habuiſſet parem neminem. Grandis eſt verbis, ſapiens ſe tentiis, genere toto gravis. Brut. 125, 126.

Wha

* What particularly animated his eloquence, was the force with which his reſpect and tenderneſs for his brother inſpired him, the remembrance of his cruel death, that was always before his eyes, and affected him with the moſt lively affliction; and laſtly, a violent deſire of avenging it. For whatever was the ſubject of his diſcourſe, he always found occaſion to deplore his brother's death, and inceſſantly recalled that idea to the People, which ſupplied him with the moſt pathetic thoughts and expreſſions. † "Whither "ſhall I fly," ſaid he, "where ſhall I find an aſy-"lum? Shall I go to the Capitol? But that temple "is ſtill wet with my brother's blood. Shall I go to "hide myſelf in my own houſe? But there I find a "mother inconſolable, and in deſpair." To ſuch moving diſcourſe he added a manner of ſpeaking, a tone of voice, geſtures, and looks, which drew tears from the eyes even of his enemies. A. R. 628. Ant. C. 124.

Sometimes to the ſanguinary violence committed upon Tiberius, he oppoſed the quite different conduct of the ancient Romans. "Your anceſtors," ſaid he, "in former times, declared war againſt the "Faliſci, to revenge Genucius, Tribune of the Peo-"ple, whom they had inſulted only in words; they "condemned C. Veturius to die, becauſe, as one of "the Tribunes was going through the Forum, he "had been the only one who refuſed to make way "for him to paſs. Whereas thoſe men," pointing to the Nobility, "knocked my brother Tiberius on the "head with ſtaves before your eyes; in their fury "they dragged his murthered body through the city, "and threw it into the Tiber, to deprive it of fune-"ral honours. Without any form of juſtice, they "put all his friends to death that fell into their

* C. Gracchum mors fraterna, pietas, dolor, magnitudo animi, ad expetendas domeſtici ſanguinis pœnas excitavit. Cic. de Haruſp. reſp. 43.

† Quò me miſer conferam? quò vertam? In Capitoliumne? at fratris ſanguine redundat. An domum? matremne ut miſeram, lamentantemque videam, & abjectam? C. Gracchus apud Cic. l. iii. de Or. n. 214.

"hands.

A. R. 628. Ant. C. 124. "hands. However," added he, "it is a cuſtom obſerved in all times at Rome, that when a man is "proſecuted criminally, if he does not appear early "in the morning, an officer is ſent to his door to "ſummon him by ſound of trumpet; and before that "ceremony is performed, the judges never proceed "to paſs ſentence. Such was the care and precaution of our anceſtors in their trials, when the life "of a citizen was in queſtion."

TRIBUNESHIP of CAIUS.

A. R. 629. Ant. C. 123.

Q. CÆCILIUS METELLUS.
T. QUINTIUS FLAMININUS.

Caius, after having warned the People by ſuch diſcourſes, propoſed two laws, both tending to attack the enemies of Tiberius. The one was, "That every magiſtrate depoſed by the People ſhould be rendered incapable of ſtanding for any office." The other decreed, "That the magiſtrate, who ſhould have baniſhed a citizen, without having proſecuted him according to the forms, ſhould be cited and tried before the People." The firſt of theſe laws directly regarded Octavius, whom Tiberius had cauſed to be depoſed; and the other Popilius, who being Conſul, had baniſhed the friends of Tiberius, without having very exactly obſerved the forms of juſtice. Popilius did not wait the ſentence of the People, and voluntarily baniſhed himſelf from Italy. He was not long an exile. Caius was no ſooner killed, than the Tribune L. Calpurnius Beſtia cauſed Popilius to be recalled by the ſuffrages of the People themſelves. As to what concerns the other law, Caius annulled it at the requeſt of his mother, who intereſted herſelf for Octavius. The People came readily into this: for they highly honoured Cornelia, as much out of conſideration for her two ſons, as on account of her father; which evidently appeared ſome time after by a ſtatue

of

of bronze, which they erected to her with this inſcription, "Cornelia, the mother of the Gracchi." A. R. 629. Ant. C. 123.

Theſe two firſt laws were only a prelude to many others that followed; and Caius omitted nothing, that could retrench the authority of the Senate, and augment that of the People.

He renewed his brother's law for the diſtribution of lands: and cauſed himſelf to be eſtabliſhed, or confirmed, Triumvir for that diſtribution, with M. Fulvius and C. Craſſus.

He decreed, that the ſoldiers ſhould be ſupplied with habits, without any deduction from their pay; and that no citizen ſhould be inliſted till the age of ſeventeen years compleat.

He did not forget the multitude that inhabited Rome, and decreed, that a certain quantity of corn ſhould be diſtributed monthly to the poor citizens upon the foot of ſomething leſs than an half-penny of our money. * This law gave the People infinite pleaſure, who were thereby provided for, and diſpenſed from working. But all perſons of worth oppoſed it: firſt, becauſe it exhauſted the publick treaſury; but eſpecially, becauſe if it be incumbent on a wiſe government to relieve ſuch as are really poor, and not in a condition to get their living, it is no leſs certain, that by indiſcriminately taking the inferior people from the habit and neceſſity of labour, infinite harm is done the Commonwealth, which is overburthened with the multitude of the idle and lazy, who give themſelves up to all kinds of diſorders and exceſſes. This kind of largeſſes, therefore, ſays Cicero, are laudable, when they are moderate, and regulated by real occaſions: but exceſſive and indefinite, as theſe of Caius were, they muſt be deemed very pernicious. De Offic. ii. 70.

* Frumentariam legem C. Gracchus ferebat. Jucunda res plebi Romanæ: victus enim ſuppeditabatur largè ſine labore. Repugnabant boni, quòd & ab induſtria plebem ad deſidiam avocari putabant, & ærarium exhauriri videbant. Cic. pro Sext. 103.

The

A. R. 629. Ant. C. 123.

The diſtributions of corn decreed by Caius were really indefinite. For it appears, that it included the rich as well as the poor. The fact, which I am going to relate, is a proof of this. L. Piſo, ſirnamed * Frugi, that is, honeſt man, a perſon then of Conſular dignity, but ſtill more venerable for his univerſally acknowledged probity, had been one of thoſe who had moſt ſtrongly oppoſed the law of Caius, of which we are ſpeaking. When this law had overcome all obſtacles, and began to be put in execution, Caius, ſeeing him amongſt thoſe who came to take the diſtribution, called upon him before the whole People, and reproached him with acting inconſiſtently with himſelf, in demanding his ſhare of corn in conſequence of a law which he had oppoſed. "I would "not willingly conſent," replied Piſo, "that you "ſhould diſtribute my fortune to the citizens. But "if you were to do it, I ſhould come at leaſt to aſk "my part of it." To talk thus, was publickly condemning the law of Caius, as ruining the treaſury, and exhauſting the patrimony of the publick, of which Caius however boaſted himſelf in all his ſpeeches the defender and preſerver: but his actions proved quite the reverſe.

He alſo paſſed decrees for ſettling colonies, making highways, and building publick magazines; and he took upon himſelf the direction and management of thoſe important works, without ever ſinking under the weight of care, and without ſeeming ſo much as perplexed with ſo many and ſo great undertakings; but on the contrary, executing them all with as much readineſs and attention, as if each had been the

* Piſo ille Frugi ſemper contra legem frumentariam dixerat. Is, lege lata, conſularis ad frumentum accipiendum venerat. Animadvertit Gracchus in concione Piſonem ſtantem. Quærit, audiente populo R. qui ſibi conſtet, cùm eâ lege frumentum petat, quam diſſuaſerat. "Nolim," inquit, "mea bona, Gracche, tibi viritim dividere "liceat: ſed ſi facias partem petam." Parum-ne declaravit vir gravis & ſapiens, lege Sempronià patrimonium publicum diſſipari?—C. Gracchus cùm largitiones maximas feciſſet, & effudiſſet ærarium, verbis tamen defendebat ærarium. Quid verba audiam, cùm facta videam. Tuſcul. Quæſt. iii. 48.

only

only one he was charged with. The People were tranſported to ſee him always followed by a crowd of undertakers, workmen, ambaſſadors, officers, ſoldiers, and men of letters, with whom he converſed familiarly with great humanity, always retaining his gravity and dignity in the midſt of his obliging and polite behaviour, accommodating himſelf to their ſeveral characters, and talking with each in his own way; an uncommon talent, but abſolutely neceſſary to perſons in high ſtations! A. R. 629. Ant. C. 123.

The works which he had moſt at heart, and to which he applied with the greateſt attention, were the great highways, in which he confined himſelf principally to conveniency, without neglecting however beauty and ornament. He carried on theſe ways in right lines acroſs countries, paved them with fine hewn ſtones wherever there was occaſion, or uſed ſplinters of ſtone and gravel to make the roads firm. He cauſed all bogs and hollows made by the courſe of waters to be filled up, or joined them to banks by ſtrong bridges. Beſides this, he divided all theſe ways into equal diſtances, each of a thouſand paces, and cauſed a kind of ſtone pillars to be erected, on which the number of theſe miles were cut, beginning from Rome. And hence come the words ſo common in Latin authors, *tertio, quarto ab urbe lapide.* On both ſides he alſo cauſed ſtones to be placed to aſſiſt travellers in getting on horſeback: for in his time the uſe of ſtirrups was unknown.

The credit of Caius daily augmented amongſt the People, who gave him the higheſt praiſes, and declared themſelves ready to add the moſt eſſential marks of their affection. Caius took the advantage of this good diſpoſition, to remove from the Conſulſhip Opimius, his mortal enemy, who had formerly endeavoured to have him conſidered as the author of the conſpiracy at Fregellæ, and to ſubſtitute Fannius in his place, from whom he certainly expected more ſupport than he received. For this purpoſe he ſaid one day to the People, in haranguing

A.R.629. Ant. C. 123. them, that he had one favour to aſk of them upon the day of the election of Conſuls, which ſhould be, if obtained, the ſum of all rewards to him, but however, if denied, he ſhould never complain of it. This declaration gave great diſquiet, and particularly alarmed the Senate. Every-one interpreted the intention of Caius his own way. The day of election being come, and every body in expectation of what he would aſk, he came to the Field of Mars, leading C. Fannius by the hand, and ſolliciting with all his friends in his favour. The People did not heſitate, and created Fannius Conſul, giving him Cn. Domitius for Collegue. Beſides this, they continued Caius himſelf in the Tribuneſhip, though he had neither aſked, nor made any intereſt for it. His actions canvaſſed ſufficiently for him.

A.R.630. Ant. C. 122.

C. FANNIUS.
Cn. DOMITIUS.

Caius, always intent upon weakening the authority of the Senators, and ſeeing that the privilege of having the ſole adminiſtration of juſtice gave them great power, did not content himſelf with aſſociating the Knights with them in adjudging cauſes, as Plutarch ſays, (which the learned Manucius ſhews, he was miſtaken) but he deprived the Senate entirely of it and transferred it to the Knights. * Many changes were made in this reſpect in the ſequel. The flagrant injuſtices committed on trials, in which criminals, most notorious for oppreſſions and extortions, found aſſured protection by corrupting the judges with preſents, ſerved Caius as ſpecious pretexts for propoſing his law, and the people for eſtabliſhing it by their ſuffrages. The ſame reaſon made the Senate aſhamed to oppoſe it.

* The Knights retained the power Caius granted them during fifteen or ſeventeen years, till the Conſulſhip of Cæpio, who aſſociated the Senators with them. The Knights were afterwards in full poſſeſſion of the judicature; which was again divided between them and the Senators ſometime after, till Sylla deprived the Knights entirely of it.

Wh

When Caius had paſſed this law, he publickly boaſted, that he had utterly ruined the power of the Senate; and he was not miſtaken. The Knights, now ſole maſters in adjudging cauſes, made themſelves formidable to the Senators. They ſoon imitated, and even ſurpaſſed, thoſe they had ſucceeded in corruption and iniquity. As the farmers of the publick revenues were of their order, their new power gave them the means of boldly committing peculation, and of robbing the Commonwealth with entire impunity. They did not content themſelves with receiving preſents for acquitting the guilty: they went ſo far as to deſtroy the innocent. We ſhall ſee facts of this kind, which will prove, that to reform abuſes, it was neceſſary not to transfer the adminiſtration of juſtice from one order to another, but to reform the whole State, which was univerſally corrupted, and to revive, if that had been poſſible, the ſentiments of honour and probity of the ancient Romans. A. R. 630. Ant. C. 122. Appian. Bell. Civ. l. 1.

Another change, which he either introduced, or * revived, though ſlight in appearance, diſcovers the real intentions of Caius, and ſhews, that his plan was entirely to change the government of Rome, to make it degenerate into a mere democracy, and to deprive the Senate of the principal rank and authority. It was the cuſtom for thoſe who harangued in the tribunal, to turn towards the Senate, and the place called the Comitium. Caius, in ſpeaking, affected to turn towards the other end, which was the Forum; and after he had began this, he always perſevered in it; to ſhew, that the ſovereign power was veſted in the People, and that it was to them, and not to the Senate, all who ſpoke of publick affairs ought to addreſs themſelves.

Caius ſeeing, that the Conſul Fannius, notwithſtanding his obligations to him, was extremely cold

* Cicero and Varro mention one Licinius, Tribune the 607th year of Rome, as the author of this practice. To reconcile Plutarch with them, we may conjecture, that the example of Licinius had not been followed by his ſucceſſors, and that Caius revived it.

A. R. 630. Ant. C. 122. in his affairs, neglected nothing to conciliate the People, and made new laws. Accordingly he propoſed the ſending of colonies to Tarentum and Capua, and undertook to have the freedom of the city, and the right of voting, granted to all the ſtates of Italy, almoſt to the Alps, which would have enabled him to have paſſed whatſoever he pleaſed in the aſſembly.

The Senate, terrified with the power of Caius, which became more exorbitant every day, and apprehending, that it would at length attain to an height, which would make it impoſſible to oppoſe it, conceived a method entirely new, and hitherto unheard of, for exceedingly weakening his credit with the People. This was to render itſelf ſtill more popular than Caius, and to grant the People, without much regard to right and juſt, whatever could be agreeable to them.

Amongſt the Collegues of Caius, there was one very capable of becoming his rival. This was Livius Druſus, whoſe happy natural parts had been cultivated by the moſt excellent education; beſides which, he was rich, eloquent, and one of the principal citizens of Rome in every reſpect. The Great applied to him, and preſſed him to oppoſe Caius, and unite with them, not in violently contending againſt the People, and reſiſting what they deſired; but on the contrary, in ſtudying to pleaſe them in all things, and even in thoſe for which it had been glorious to have incurred their hatred. It was no longer a time for a Conſul to ſay to the People: "I ſhould be very glad, Romans, to pleaſe you; but I chuſe much rather to preſerve you, whatever diſguſt you may conceive for me in conſequence." This conſtancy ſeemed no longer in ſeaſon: and it had coſt the great Scipio Africanus his life, for deſiring to follow theſe ancient maxims. The Senate therefore gave way on this occaſion, and thereby attained their ends; but it muſt be confeſſed, it is at the expence of their glory.

An impulſe of jealouſy, common enough, and in a manner natural, to thoſe who ſee ſome one of their

Collegues raiſe himſelf above all the others, either by his merit or credit, and in ſome meaſure take upon him to lord it over the reſt, was a ſufficient motive to determine Druſus to give into the propoſal made to him. The publick utility put into his hands, the honour of reſtoring the tranquility of the State, and reconciling both parties, ſeemed alſo reaſons worthy of a good citizen. He therefore gave himſelf up to the Senate: he propoſed and paſſed laws, which had nothing meritorious, or of real uſe, in them, but of which the ſole end was to do ſtill more for the People than Caius did, and thereby to deprive him of the affection of the multitude. The approbation given by the Senate to all the enterprizes of Druſus, ſhews plainly, ſays Plutarch, that it was not ſo much the laws of Caius, as his perſon itſelf, and too great authority, that had diſpleaſed them. A. R. 63 Ant. C. 122.

Accordingly, when Caius decreed the eſtabliſhment of two colonies, for which he was for having the moſt worthy of the citizens choſen, the Senate roſe up againſt him, and treated him as a flatterer of the People: and when Druſus eſtabliſhed twelve, and ſent three thouſand of the pooreſt citizens into each of them, they ſupported him with their whole power. They did the ſame in every thing; and Druſus never failed, in propoſing his laws, to declare, that he acted by the advice of the Senate; which much abated the People's rancour againſt the principal perſons of that body, and almoſt entirely extinguiſhed the animoſity which the Gracchi had fomented between the two orders.

Such was the undoubtedly ſalutary effect of the Senate's policy, and of the laws of Druſus: an effect, which manifeſtly gave the ſuperiority to the cauſe of the Great over that of the Gracchi, as all the meaſures of the two brothers tended only to ſowing diviſion, whereas thoſe of the Senate reſtored concord. Let us add, that if it was for the good of the State, it cannot be denied, that the principal authority of the government ſhould remain in the hands of that

A. R. 630. Ant. C. 122. auguſt body, rather than be abandoned to the caprice of the multitude, the end which the Senate propoſed in the laws of Druſus, was good and laudable; though the means they employed were below their dignity.

Plut. App. p. 85. Caius might have perceived, that his credit declined. An action of his at this time gives reaſon to doubt, whether he was aware of it, or not. Q. Rubrius, one of the Tribunes, not to continue idle whilſt his Collegues were ſo buſy, and to diſtinguiſh himſelf alſo by ſomething memorable, cauſed it to be decreed by the People, that Carthage, which had very lately been deſtroyed by Scipio, ſhould be rebuilt, and a colony ſent thither. At the time of its deſtruction, it had been forbidden to inhabit it for the future in the name of the Roman People, with horrible imprecations againſt ſuch as, contrary to this interdiction, ſhould undertake to rebuild it. Caius was not terrified by them, and to make his court to the People, (perhaps alſo to remove the trophies of Scipio,) he undertook to re-people it, and carried a colony thither conſiſting of ſix thouſand citizens. To remove from Rome in the preſent ſtate of affairs, and to leave his rival there, was not acting like a good politician.

Druſus accordingly, taking advantage of his abſence, made new efforts to engage the People, and conciliate their favour; wherein he was exceedingly aſſiſted by the bad conduct of Fulvius. He was the particular friend of Caius, and commiſſioner with him for the diſtribution of lands; a man of a ſeditious and turbulent ſpirit, hated by the whole Senate and ſuſpected by all good citizens, as promoting inſurrections amongſt the allies, and ſecretly exciting the ſtates of Italy to revolt. Theſe were only reports that were ſupported by no certain and evident proof; by it his conduct made them probable; for he never took the right ſide of a queſtion, and always declaimed againſt union. This was what contributed moſt to the ruin of Caius: for all the hatred conceived for Fulvius, fell by reflexion upon him.

Caius

Caius, however, was employed in re-building and re-peopling Carthage, of which he changed the name, and called it Junonia, that is, "The City of Juno," the tutelar goddeſs of ancient Carthage, as Virgil * has obſerved almoſt an hundred years after. The Tribune found obſtacles to his projects, as I have related in the preceding book. He however perſiſted, and having regulated and ordained every thing in the ſpace of ſeventy days, re-imbarked and returned to Rome. Amongſt other motives which induced him to haſten his return, one of the principal was his apprehenſion of the Conſulſhip of Opimius, whom he had ſet aſide the preceding year, but who actually ſtood now, and was elected Conſul for the year enſuing. A. R. 630. Ant. C. 122.

Caius found a change of diſpoſition at Rome, which might have made him ſenſible of his fault in removing from it. To omit nothing that might regain him the favour of the People, he thought it neceſſary to change his habitation. Inſtead of reſiding on Mount Palatine, he removed to below the Forum; a much more popular place, becauſe it was the quarter of the inferior people, and pooreſt citizens.

He conceived another more effectual means: this was the promulgation of ſeveral new laws. It is very probable, that the laws which he propoſed on the preſent occaſion, were thoſe which were intended for communicating the freedom of Rome, and the right of ſuffrage, to the Latines and other ſtates of Italy. The allies in conſequence flocking to Rome from all parts, and ſurrounding Caius continually, the Senate perſuaded the conſul Fannius to make all perſons, that did not inhabit Rome, retire, and to leave none but citizens in it. An order almoſt unheard of till then, and which ſeemed very ſtrange, was publiſhed by ſound of trumpet, "prohibiting every-one, who was not a citizen, to remain in Rome, or to approach nearer than five miles to the city, during the whole

* Quam Juno fertur terris magis omnibus unam
Poſthabita coluiſſe Samo.——Æn. I. 20.

A. R. 630. Ant. C. 122. time that the new laws ſhould be in deliberation." Caius, on his ſide, affixed papers on all ſides, complaining of this unjuſt proclamation of the Conſul's, and promiſing to aid all the allies, who ſhould continue in Rome, with force. He however did not keep his word. For ſeeing one of his friends and gueſts inſulted by the Conſul's officers, on account of diſobeying that prohibition, he went forwards, and gave him no aid; whether, perceiving his credit diminiſhed, he was afraid to expoſe himſelf on the occaſion, or, as he ſaid himſelf, he was unwilling to give his enemies the pretext they ſought of coming to blows, and drawing on ſome combat.

He happened at the ſame time to differ exceedingly with his Collegues, on the occaſion I am going to relate. The People were to be preſent at a combat of gladiators to be exhibited in the Forum. Moſt of the magiſtrates cauſed ſcaffolds to be erected round the place in order to let them. Caius gave them orders to take them down, that the poor might have thoſe places to ſee the ſhew without paying. As nobody obeyed his command, he ſtayed till the night before the games, and taking along with him all the carpenters and workmen at his diſpoſal, he made them demoliſh all thoſe ſcaffolds himſelf, and thereby rendered the place free for all the citizens indifferently. This action made the multitude conſider him as a man of reſolution and courage; but his Collegues were diſſatisfied, and taxed him with boldneſs and violence.

A. R. 631. Ant. C. 121.

LUCIUS OPIMIUS.
Q. FABIUS MAXIMUS.

Opimius had failed of the Conſulſhip the year before, as I have already obſerved, through the credit of Caius, who at that time cauſed Fannius to be elected Conſul. He was revenged on him this year, and Caius, in his turn, who expected to be choſen Tribune for the third time, was excluded from that office,

office. According to ſome authors, he however had the plurality of voices: but his Collegues, perhaps in concert with Opimius, through envy and revenge, acted very unjuſtly in making their report of them. This point was not cleared up in time, and remained doubtful. The enmity between Caius and Opimius, which had appeared before, then broke out with more violence than ever, and was carried to the laſt exceſſes. A. R. 631, Ant. C. 121.

Opimius no ſooner ſaw himſelf Conſul, than he undertook to cancel ſeveral of Caius's laws. He inſiſted principally on that which regarded the re-eſtabliſhment of Carthage; ſtrongly reproaching Caius with having formed and executed that enterprize contrary to prior prohibitions to rebuild the walls of that rival of Rome, and notwithſtanding the will of the gods, who had manifeſtly declared themſelves by ſiniſter omens and prodigies, which ought immediately to have made him deſiſt from that deſign. A Tribune, ſupported by the authority of the Senate and Conſul, accordingly propoſed the abolition of the law concerning the colony of Carthage, and perhaps of ſome other laws of Caius. The day for the aſſembly was declared for proceeding to deliberation upon theſe points. Caius at firſt ſupported all theſe affronts with patience, and ſeemed diſpoſed to employ no meaſures againſt his adverſaries but thoſe of peace and juſtice; whether he diffided in his credit with the People, or prudentially avoided giving the Conſul the occaſion he ſought to excite trouble, and proceed to violence. But his friends, and particularly Fulvius, animated him ſo ſtrongly, that he drew his partizans together to oppoſe the Conſul. He thereby acted very wrong, as, being only a private perſon, he reſiſted the publick authority with force.

The day the aſſembly was to be held, Opimius on one ſide, and Caius on the other, occupied the Capitol in the morning. The Conſul having performed the ſacrifice, one of his officers, called Q. Antyllius, who was carrying away the intrails of the victims, ſaid

A. R. 631. Ant. C. 121. ſaid to Fulvius, and the great multitude round him, "Make way, bad citizens, and let honeſt men paſs." This offenſive word enraged them to ſuch a degree, that they fell upon Antyllius, and killed him upon the ſpot with the bodkins (or *ſtyli*) of their table-books, which, it is ſaid, they had purpoſely made larger than uſual, in order to uſe them as arms upon occaſion. This murder occaſioned a great tumult. Caius was extremely afflicted at it, and flew out againſt his followers, reproaching them that they had given their enemies an handle, who had long ſought only a pretext for ſhedding blood. Opimius, on the contrary, conſidering this event as favourable to his deſigns, prepared to take the advantage of it, and excited the People to vengeance. But an heavy rain happened to fall, which obliged them to ſeparate.

The next day the Conſul aſſembled the Senate; and whilſt he was ſpeaking, certain perſons by his own direction, having placed the body of Antyllius upon a bier, carried it acroſs the Forum to the Senate-houſe with great cries of grief. Opimius, on hearing this noiſe, feigned ſurprize, and all the Senators went out to ſee what was the matter. The bier having been ſet in the middle of the Forum, they ſurrounded it, and lamented the murder as a great diſaſter: miſerable comedy! which with reaſon excited the People's indignation. "They maſſacred Ti. Gracchus, the "Tribune of the People," ſaid they, "and threw his "body into the Tiber; and now when a Lictor, who "perhaps did not deſerve his misfortune, but at leaſt "drew it upon himſelf by his imprudence, is expoſed "upon the Forum, the Roman Senate ſurrounds his "bier, raiſes lamentable cries concerning his death, "and attends with pomp the funeral of a pitiful fellow, "in order that they may ſucceed in deſtroying the "laſt ſurviving defender of the Roman People."

The Senate having afterwards returned into their houſe, paſſed a decree, by which the Conſul was directed to provide for the ſafety of the Commonwealth: UTI L. OPIMIUS CONSUL REMPUBLICAM DEFENDERET.

DERET. This form gave him an unlimited power. The Conſul then ordered all the Senators to take arms, and all the Knights to attend him the next day in the morning, each with two ſervants well armed. At the ſame time he cauſed Caius and Fulvius to be cited to come in perſon, and give an account of their conduct to the Senate. A. R. 631. Ant. C. 121. App. Civ. l. 1. 365.

They were far from complying with this ſummons, that is, from delivering themſelves up to their enemies. Fulvius drew together and armed as many people as he could. Caius ſeemed to have no thoughts of his defence: but on returning from the Forum, he ſtopt near his father's ſtatue, looked at it a great while without ſpeaking a word, and could not help ſhedding ſome tears, and venting ſome ſighs, perhaps regretting too late his not having followed the example of ſo illuſtrious a father, who had always adhered to the party of the ariſtocracy, and had been ſo happy in effect. The People, who ſaw Caius in this condition, were moved with compaſſion. All of them, reproaching themſelves with cowardice for abandoning and betraying ſuch a protector, followed him home, and paſſed the night before his doors. They kept guard there; but mournfully, and with ſilence, reflecting upon the publick calamities, and thoſe which threatened them in their private condition. At Fulvius's, on the contrary, nothing was ſeen but feaſting and revelling; he made himſelf drunk firſt, and when heated with wine, there was no kind of rhodomontades, either in words or in actions, by which he did not endeavour to ſignalize himſelf.

The next morning it was not eaſy to awake him. He however roſe ſtill intoxicated with the fumes of wine; and his people being armed, they all ſet forwards with great cries and haughty menaces, and ſeized Mount Aventine. As to Caius, he refuſed to arm, and went out in his robe, as if to a common aſſembly, taking only with him a little dagger. When he was going, his wife Licinia ſtopped him, and threw herſelf on her knees at the threſhold, lifting up one

A. R. 631. Ant. C. 121.

one hand, and holding her ſon in the other. "She repreſented to him in a voice mingled with ſobs, the certain danger to which he expoſed himſelf, in going in that condition before the murderers of his brother Tiberius. She praiſed his generoſity in not being willing to take arms againſt his fellow-citizens; but ſhe exhorted him at leaſt to provide for the ſafety of his life. And laſtly, if he was inſenſible to his own death, which would leave the Commonwealth without a defender, ſhe conjured him in the name of the gods to have compaſſion on an unfortunate wife and tender infant, who would loſe their all in loſing him, and were upon the point of being expoſed to all the indignities that were to be expected from ſuch furious and inhuman enemies as thoſe who perſecuted his family." Caius diſengaged himſelf gently from between her arms, and walked on in profound ſilence, ſurrounded by his friends. His wife deſiring to follow him, in order to hold him by his robe, fell upon the ground, where ſhe continued without voice or ſenſe, till his domeſticks, ſeeing her in a ſwoon, took her up, and carried her to the houſe of her brother Craſſus.

When the followers of Caius and Fulvius were aſſembled on the Aventine, Caius, that he might have nothing to reproach himſelf with, prevailed upon Fulvius to ſend his ſecond ſon with a caduceus in his hand to the Forum. He was a youth of ſingular beauty, and the graces of his aſpect were exalted by the humble and modeſt air with which he approached, and by the tears which he ſhed in making the propoſals of accommodation, with which he was charged, to the Conſul and Senate. The majority of the Senators were not averſe to treating. But the Conſul Opimius would hear nothing. "It is not," ſaid he, "by heralds, thoſe rebels are to explain themſelves. "Let them come in perſon to undergo their ſentence "as criminals, to aſk grace in that condition, and "diſarm the wrath of the Senate offended by their "revolt." At the ſame time, he ordered that young man

man to return, and expreſsly forbade him to come back, except he brought with him the ſubmiſſion of Caius and Fulvius to the Senate's orders. The young man having made his report, Caius would have obeyed, and appeared before the Senate, to vindicate himſelf. But all the reſt having oppoſed it, Fulvius ſent his ſon back again to make the ſame propoſals a ſecond time. Opimius, who only deſired to terminate the affair by the method of arms, impatient to come to blows, cauſed young Fulvius to be ſeized, and having put him into the cuſtody of perſons he could confide in, he ſet forwards againſt the ſmall army of Fulvius with a good body of infantry, and ſome Cretan archers, who diſcharging upon that troop, and wounding many, ſoon put the reſt into diſorder. The flight immediately became general. Fulvius retired into a publick bath that had been abandoned, where he was found ſoon after, and killed with his eldeſt ſon. In this ſkirmiſh and flight two hundred and fifty were ſlain on the ſide of Fulvius. Hiſtory does not tell us whether there was any loſs on the other ſide. We only know, that P. Lentulus, Prince of the Senate, received a conſiderable wound in it. A. R. 631. Ant. C. 121. Cic. Philip. viii. 14.

As to Caius, he was neither ſeen to fight, nor to draw his ſword. Highly afflicted with what paſſed, he retired into the temple of Diana. He there would have killed himſelf with his dagger; but he was prevented by Pomponius and Licinius, two of the moſt faithful of his friends, who took it from him, and prevailed upon him to fly. Caius, before he quitted the temple, fell on his knees, and lifting up his hands towards the goddeſs, implored her, that the Roman People, as a puniſhment for their black treachery and ingratitude, (for moſt of them had abandoned him on the firſt proclamation of an amneſty) might never ſhake off the vile ſlavery, into which they voluntarily precipitated themſelves. Thoſe who purſued Caius, overtook him near the wooden bridge. His two friends, who had not quitted him, made head at the entrance

A. R. 631. Ant. C. 121. entrance of it, to give him time to eſcape, and fought valiantly till they both fell dead on the ſpot. But what is entirely ſtrange, all that multitude who were preſent, all thoſe thouſands who were under ſuch great obligations to Caius, behaved now like ſimple ſpectators; encouraging and exhorting him to make off, as if the affair had been only a common race, whilſt not one amongſt them dared, I do not ſay take upon them to defend him, but to give him an horſe, to enable him to fly with more ſpeed. A ſtrong example this of the infidelity and cowardice of the multitude; which ought to teach every man of ſenſe, that popular favour is a very frail ſupport, which gives way immediately under thoſe who confide in it, when the danger becomes ſerious. Caius, in the mean time, had retired into a wood ſacred to the Furies. His enemies were juſt at it, when Philocrates, one of his ſlaves, killed him, and then himſelf.

The Senate had not been aſhamed to ſet a price upon the heads of Caius and Fulvius, and to promiſe, by proclamation, to whomſoever ſhould bring them in, their weight in gold as a reward. One of Opimius's friends, called Septimuleius, having taken away the head of Caius from the ſoldier who had cut it off, carried it to the Conſul at the end of a pike. He had even the baſeneſs and barbarity to take out all the brains, and to fill up the ſcull with melted lead. It was found to weigh ſeventeen pounds eight ounces, (about fourteen pounds Troy) which were immediately paid him in gold. He was reproached with this action ſometime after by a ſtroke of wit, which is not unworthy of being repeated here. He aſked Scævola, appointed Proconſul in Aſia, for an employment in his province. * "Why are you mad," replied Scævola. "There are ſo many bad citizens in Rome,

* Quid tibi vis, inſane? Tanta malorum eſt multitudo civium, ut tibi ego hoc confirmem, ſi Romæ manſeris, te paucis annis ad maximas pecunias eſſe venturum. Cic. de Or. ii. 269.

" that I may venture to aſſure you, if you ſtay here, A. R. 632.
" you cannot fail of making a great fortune in a ſhort Ant. C.
" time." Thoſe who brought Fulvius's head had 121.
nothing, becauſe they were of the loweſt of the rabble.

The bodies of Caius and Fulvius, and of all thoſe who had either been killed in this tumnlt, or executed in priſon by the Conſul's order, to the number of three thouſand, were thrown into the Tiber. All their eſtates were confiſcated. Their wives were forbade to wear mourning. Licinia, the wife of Caius, was deprived of her dowry. Fulvius's ſecond ſon, he who had been ſtopped by the Conſul's order, when he came to propoſe conditions of an accommodation, a youth of only eighteen years old, and very innocent of all things laid to his father's charge, who had neither fought, nor could fight, as he was a priſoner at the time of the ſkirmiſh, was however inhumanly put to death. All the favour ſhewn him was to chuſe his death. But as he could not reſolve on any, he was ſtrangled in priſon, notwithſtanding his prayers and tears.

What moſt ſenſibly ſhocked and afflicted the People, was the inſolence of Opimius in building a temple to Concord in memory of this event. For he ſeemed thereby to aſſume glory to himſelf from his cruelties, and to conſider the murdering of ſo many citizens as matter of triumph. It is from hence, that ſomebody, under the inſcription upon the front of the temple, cut the following verſe in the night, the ſenſe of which is: " This temple of Concord is the work of fury and diſcord." The alluſion and elegance either of the Latin or Greek is not eaſily preſerved in another language. *Vecordiæ opus ædem facit Concordiæ.* Ἔργον ἀπονοίας ναὸν Ὁμονοίας ποιεῖ.

The People, who had ſo baſely abandoned the Gracchi to the fury of their enemies, after their deaths rendered them barren honours, and too late regret. Statues were erected to them in publick: the places where they were killed were conſecrated, and the firſt-fruits

A. R. 631. Ant. C. 121. fruits of each ſeaſon were carried to them. Many even offered ſacrifices there every day, and ſaid prayers on their knees, as in the temples of the gods.

The Great did not oppoſe theſe vain expreſſions of honour and reſpect, that had no tendency. But they applied themſelves to abrogating the Agrarian laws, which really hurt them. They proceeded therein by degrees. They firſt cauſed the prohibition paſſed by Tiberius to be taken off by a Tribune; "that thoſe to whom the lands of the publick had been diſtributed, ſhould not ſell them;" which gave the Rich an opportunity of buying them of the Poor, and even ſometimes of ſeizing them by force. Another Tribune paſſed a decree, that all enquiries and diſtributions of the public lands ſhould ceaſe, and that they ſhould continue in the hands of thoſe who poſſeſſed them, paying a quit-rent to be diſtributed amongſt the poorer citizens. This was at leaſt a conſolation and relief for the poor. But ſoon after a third Tribune diſcharged thoſe lands from the quit-rent that had lately been laid upon them. Thus the great deſign of the Gracchi was reduced to nothing: and a project ſo fatal to its authors left no trace of any utility either to particulars, or to the Commonwealth.

It remains for me to ſay ſomething of Cornelia and Opimius. The body of Caius, having been taken out of the Tiber, no doubt by ſome friend of the Gracchi, was carried to Miſenum, whither Cornelia had retired after the death of Tiberius. She there paſſed the remainder of her life in a country-houſe, without any change in her manner of living. Her extraordinary merit always drew about her the beſt company either of the learned, or the principal perſons of the Commonwealth. She charmed all that came to ſee her, when ſhe related particularities of the life of her father Scipio Africanus, and his manner of living. But ſhe filled them with admiration, when, without the leaſt ſign of grief, or ſhedding a ſingle tear, ſhe gave the hiſtory of all her children had done

or ſuffered, as if ſhe had been ſpeaking of perſons entirely indifferent to her. It was even uſual with her to ſay, ſpeaking of the conſecrated places where they were killed, that they were tombs worthy of the Gracchi. This conſtancy ſeemed ſo extraordinary to ſome, that they imagined her age and misfortunes had impaired her judgment and underſtanding. Weak people, ſays Plutarch, who did not know how much an excellent genius and a good education can exalt the ſoul above fortune, and enable it to triumph over ſorrow. A. R. 632. Ant. C. 121.

As to Opimius, his Conſulſhip was no ſooner expired, than the Tribune P. Decius accuſed him before the People, for having put to death citizens without being tried or condemned according to the forms of law. Carbo, then Conſul, the very perſon ſo intimately united with Caius, who had been Commiſſioner with him for the diſtribution of lands, who had carried his violence for that party to ſuch an height, as to imbrue his hands in the blood of Scipio Africanus; this very Carbo was the defender of Opimius. What is ſtill more ſurprizing, a criminal ſo deſervedly odious to his judges eſcaped condemnation. Carbo was one of the moſt eloquent orators of his time. But however, all that he had to ſay, and could actually alledge in vindication of Opimius, amounted only to this, that he had done nothing but by order of the Senate; ſo that his cauſe was that of the Senate itſelf. This, one would think, was a reaſon for the People to condemn him: he was however acquitted. Perhaps the multitude had not yet recovered the terror which the recent examples of the dreadful revenge of the Senators had given them.

But if Opimius extricated himſelf out of this danger, it was only to ſink under a more ignominious accuſation ſome years after. Having been ſent Commiſſioner to the court of Numidia, he ſuffered himſelf to be corrupted by Jugurtha, and at his return was formally condemned. He paſſed his old age in obſcurity, equally deſpiſed and abhorred by the People.

A. R. 631. Ant. C. 121.

* Cicero every where gives him great praiſes. This is not ſurprizing. Beſides the general intereſt of the ariſtocratical party, Cicero had a perſonal one in the cauſe of Opimius. He had been baniſhed himſelf for having cauſed the accomplices of Catilina to be put to death without obſerving the juridical forms. Opimius's caſe had too much reſemblance to his own, not to intereſt him much. Beſides which, the judges who condemned Opimius were the Roman Knights eſtabliſhed in the judicature by Caius Gracchus: and their hatred for the murtherer of Caius had a great ſhare in the condemnation of that unfaithful and avaricious Commiſſioner. This is what authorizes Cicero to tax this ſentence with injuſtice.

I cannot make an end of the hiſtory of the Gracchi, without looking back a little upon them; and running over their different qualities with a general view. The mild and inſinuating eloquence of the one, the warm and animated of the other, both excellent in the higheſt degree, was the leaſt part of their merit. They both gave glorious proofs of their valour and conduct during their ſervice in war; and were capable, according to Plutarch, of becoming equal to the greateſt Captains if they had lived longer. They were equally beloved and eſteemed by the troops, and lived familiarly with them, without thereby leſſening the reſpect due to their birth, and ſuperior talents. The glory of their family ſerved only to inſpire them with noble ſentiments and inclinations, and an ardent deſire to ſupport the luſtre of it by their behaviour. They had all the qualities neceſſary in government; an air of authority tempered with mildneſs; an happy penetration; a great extent of views and deſigns; indefatigable application to affairs; a generous diſintereſtedneſs, in effect of which they always kept their hands unſullied in the high

* Hunc (Opimium) flagrantem invidiâ propter interitum C. Gracchi ſemper ipſe populus Romanus periculo liberavit. Alia quædam civem egregium iniqui judicii procella pervertit. Pro Sext. 140.

employments; and laſtly, a great love of publick good, and an avowed abhorrence for all injuſtice. A. R. 631. Ant. C. 123.

It muſt be alſo owned, and their greateſt enemies have confeſſed it, * that amongſt the many eſtabliſhments they undertook, and laws which they paſſed, there were ſome of real utility to the Commonwealth. Some circumſtances, which I could not conveniently inſert in their hiſtory, will ſupply us with a proof of what I advance. For inſtance, every body muſt approve the erecting of publick granaries, by the means of which the city of Rome would always have a ſufficient proviſion of corn, and never be expoſed to the calamities of famine. The law paſſed by Caius for the ſecurity of the citizens perſons againſt the violence of magiſtrates, and to ſubject thoſe to the greateſt penalties, who ſhould cauſe them to be whipt, or put to death, was the aſylum of the weak: and we ſee, in the Acts of the Apoſtles, the uſe St. Paul made of it more than once, and the terror he gave thoſe who had violated it. He was alſo the author of another very wiſe law, againſt ſuch as by cabals and intrigues ſhould cauſe an innocent perſon to be condemned. The Senate itſelf was obliged to him for a law, by which their body alone were authorized to determine the provinces of Generals and Magiſtrates, and which prohibited the oppoſition of the Tribunes to be admitted in reſpect to the provinces of Conſuls. Plutarch tells us, that the ſame Caius frequently opened excellent counſels in the Senate; and cites an example of this kind. Fabius, Proprætor in Spain, having ſent corn, which he had levied in his province, to Rome, Caius perſuaded the Senate to ſell it, and return the money to the cities of Spain that had ſupplied it, and at the ſame time to reprimand the Proprætor ſeverely, for rendering the Roman government odious to the ſubjects of the Commonwealth.

Act. Apoſt. xvi. 37, 38. and xxii. 25, 26. Cic. pro Cluent. 141. Id pro Domo & de Prov. Conſ. 3. & 17.

* (Gracchorum) conſiliis, ſapientiâ, legibus, multas eſſe video Reipublicæ partes conſtitutas. Cic. in Rull. ii. 10.

A. R. 631. Ant. C. 121.

What a pity it was that ſo many noble qualities and great actions ſhould be diſhonoured by a ſingle vice! Ambition rendered the Gracchi, not uſeleſs, but fatal to their country. "An * inordinate thirſt of glory, and an unbounded deſire of raiſing themſelves, and lording it over others, is," ſays Cicero, "the great danger of thoſe, who pique themſelves upon elevation of ſentiments and greatneſs of mind, and this often makes them commit great injuſtice." To what exceſſes did not the Gracchi run on? Tho' equity had been the motive of Tiberius in his ſcheme of the Agrarian law, how ſhall we excuſe his, and his brother's inveteracy for depreſſing the Senate, which was the ſoul of the Commonwealth, and depriving that auguſt body of its moſt valuable and legitimate rights? Should not the murder of Scipio Africanus, which was the effect of theſe diviſions, and of which Caius cannot be ſuppoſed innocent, inſpire horror for thoſe who perpetrated ſo black a crime? Accordingly, all the wiſeſt and moſt judicious perſons have been laviſh in ſtigmatizing the Gracchi with the terms of factious, ſeditious, and wicked citizens: and their deaths have been conſidered as puniſhments juſtly deſerved. Let us conclude, that there can remain no doubt, either in reſpect to the merits of the two brothers, or the ill uſe they made of it.

However, I do not entirely approve the conduct of their adverſaries. The Senate, on this occaſion degenerates in a ſtrange manner from the mildneſs and wiſe condeſcenſion, that in former times had reflected ſo much honour upon it in civil diſſenſions. In this light we diſcern a ſanguinary violence and deteſtable cruelty in them, to which the Gracchi, and eſpecially Caius, oppoſe only a moderation, that cannot be ſufficiently commended. Theſe two brothers, who were ſo brave againſt the enemy, have no coura

* Illud odioſum eſt, quod in hac elatione & magnitudine animi cillimè pertinacia, & nimia cupiditas principatûs innaſcitur—Facilli autem ad res injuſtas impellitur, ut quiſque eſt altiſſimo animo, gloriæ cupido: qui locus eſt ſanè lubricus. Cic. de Offic. I. 64, 65

to ſhed the blood of their fellow-citizens. The Gracchi defend a bad cauſe in a manner the Senate ought to have employed in the defence of a good one. A. R. 631. Ant. C. 121.

SECT. II.

Wines of the Conſulſhip of Opimius. Africa ruined by graſhoppers, and afterwards infeſted with a plague, occaſioned by their dead bodies. Sempronius triumphs over the Japodes, and Metellus over the Dalmatians. War againſt the Balearians, and ſome States of Gallia Tranſalpina. Fulvius triumphs firſt over the Tranſalpine Gauls. Sextius ſubjects the Salluvians, and builds the city of Aix. The Allobroges and Arverni draw the Roman arms againſt them. Opulence of the latter people. Embaſſy from the King of the Arverni to Domitius. The Allobroges and Arverni are defeated by Domitius. Great victory gained by Fabius over the ſame people. Perfidy of Domitius in reſpect to Bituitus. Roman province in the Gauls. Trophies erected by the victors. Their triumphs. War againſt the Scordiſci. Lepidus noted by the Cenſors for living in an houſe of too great a rent. Thirty-two Senators degraded by the Cenſors; among the reſt Caſſius Sabaco, Marius's friend. Beginnings of Scaurus. Character of his eloquence. His probity ſuſpected in matters of gain. He had wrote his life. His Conſulſhip. He is elected Prince of the Senate. Good fortune of Metellus Macedonicus. Surprizing accumulation of dignities in the houſe of the Metelli. Three Veſtals ſuffer themſelves to be corrupted. They are condemned. The orator Marcus Antonius involved in this affair, and acquitted. Temple erected to Venus VERTICORDIA. *Human victims. Carbo accuſed by L. Craſſus. Generoſity of Craſſus. His timidity. Single occaſion on which Craſſus oppoſes the Senate. C. Cato condemned for extortions. Scrupulous exactneſs of Piſo in reſpect to a gold ring.*

DETACHED FACTS.

THE * deſire of relating all that concerns the Gracchi together, has obliged me to omit many facts, to which it is now time to return. To theſe I ſhall add the events of the years elapſed between the death of C. Gracchus and the war with Jugurtha; which were nine. The whole affords only very dry and barren matter. The monuments come down to us of the facts I am going to relate, we have either from writers of ſo little value, that their works deſerve rather the name of Gazettes than of Hiſtories, or from ſome detached fragments of more eſtimable authors. Freinſhemius, in his ſupplement to Livy, has collected all theſe diſperſed fragments, to form the matter and ſeries of the hiſtory. In this he has done literature great ſervice, and has ſupplied me with a very uſeful aid.

Before I begin to relate the wars, made by the Romans during the ſpace of time I propoſe to run over, I am going to inſert here two ſingular circumſtances, entirely diſtinct from any thing elſe, and which may be conſidered as facts of natural hiſtory.

The firſt is, that the year Opimius was Conſul, was ſingular for wines, all ſpecies of which came in it to the higheſt degree of ripeneſs and good perfection. Every body knows, that the Romans kept their wines during many years: but thoſe of Opimius's Conſulſhip ſubſiſted ages. Some of it was in being in Pliny's time, almoſt two hundred years after it was made: but it was of the conſiſtence of honey, and ſo bitter, that it was impoſſible to drink it, without mixing it with a great quantity of water. In conſequence little of it was drank. It was only uſed to give a flavour to other wines, with which it was mixed in very ſmall portions. It is eaſy to judge that the price of it was become exceſſive. F. Har-

Plin. xiv. 4.

* All this part of the hiſtory to the war with Jugurtha, is the Editor's. Mr. Rollin had omitted the facts contained in it, no doubt with deſign to recur to them.

douin

douin deduces from the text of Pliny, (which to me ſeems very obſcure) that an hundred and ſixty years after the Conſulſhip of Opimius, this wine was ſold for about four pounds ten ſhillings an ounce.

The other event is ſome years prior to this, and of a quite different kind. In the Conſulſhip of M. Fulvius Flaccus, the 627th year of Rome, a dreadful multitude of graſhoppers overſpread all Africa, that is, what we now call the coaſts of Barbary, and did not only eat up the corn in the blade, herbage, and leaves of trees, but even the bark and wood. And this was but the leaſt part of the evil which the country ſuſtained from them. A great wind carried them all into the ſea, where they were drowned. But the waves driving their dead bodies upon the coaſts, immenſe heaps of them accumulated, which infected the air to ſuch a degree, that a peſtilence enſued amongſt men and beaſts. I do not know, whether Oroſus is to be believed on this head. But that writer aſſures us, eight hundred thouſand men periſhed in the kingdom of Micipſa, or Numidia, and two hundred thouſand in the province of Carthage. He adds, that an army of thirty thouſand men, which the Romans kept in Utica for the defence of the province, were deſtroyed by the contagion, ſo that not a ſingle man ſurvived: and that on one day fifteen hundred dead bodies were carried out through one of the gates of that city. I fear there is ſome exaggeration in this account. But that there was a peſtilence occaſioned by the dead bodies of graſhoppers is certain, and ſuffices to ſhew, that when it is the will of God to puniſh mankind, the leaſt and vileſt inſects may become dreadful ſcourges. Livy, in ſome parts of his hiſtory, mentions great havock cauſed by clouds of graſhoppers; and he even tells us, that in the year 579, a Prætor was ſent into Apulia to aſſemble the country people, to make war upon this new kind of enemies. But the example, which I have related here, is the moſt extraordinary we find in the hiſtory of any times.

Oroſ. v. 11.

Liv. Epit. lx. Jul. Obſ.

WARS.

Amongſt the wars of which I am now to ſpeak, thoſe againſt the Japodes and Dalmatians were little conſiderable.

Appian. Illyr. The Japodes were a nation mixed with Illyrians and Gauls, who inhabited almoſt the ſame, now called Croatia, between the Sava and the Adriatick Sea. Theſe people having offended the Romans by incurſions and ravages made upon the lands of the Commonwealth bordering upon them, were attacked and conquered in one campaign by the Conſul C. Sempronius Tuditanus, the 623d year of Rome. The victor was granted the honour of a triumph.

That honour coſt L. Cæcilius Metellus ſtill leſs to acquire, if it be true, as Appian tells us, that the exploits of this Metellus were only having marched an army into the country of the Dalmatians, againſt whom he had cauſed war to be declared without any juſt cauſe, and having paſſed the winter without acting at * Salona, into which he had been received as a friend. The LXII. epitome of Livy ſays, nevertheleſs, that he ſubjected the Dalmatians. However that were, L. Cæcilius Metellus, having been Conſul in 633, triumphed over the Dalmatians in 634, and aſſumed the ſirname of Dalmaticus.

Q. Metellus, his near relation, had ſome years before ſet him the example of ſeeking eaſy conqueſts, by which a name might be acquired without much danger, or much regard to juſtice. He had attacked the Baleares, a people hitherto almoſt ſavages, and who had never appeared in wars, but as auxiliaries to the Carthaginians.

Diod. Sic. l. v & Strab. l. iii. The Baleares inhabited the two iſlands we now call Majorca and Minorca. As they lived almoſt with all

* A city now in ruins, which are ſhewn at four miles from Spolatro.

the

the ſimplicity of groſs nature, they had undoubtedly no ambition to make war with the Romans. Caves under the rocks, or holes in the earth, which they dug themſelves, ſerved them for habitations. They were almoſt naked, except that during the coldneſs of winter they covered themſelves with ſheep-ſkins. They found in their country, of which the ſoil is fertile, the neceſſaries of life; except only wine, of which they were very greedy. Accordingly, ſuch of them, as had ſerved in the Carthaginian armies, did not fail at their return to lay out all the money they had left in wine. For they were not allowed to bring that money into their country; the uſe of it being prohibited in both iſlands. They ſaid, as Diodorus tells us, that Geryon's riches had of old been fatal to him, in drawing Hercules upon him as an enemy: and that, taught by that example, they had from the moſt remote antiquity always apprehended introducing a metal amongſt them, capable of exciting the avidity of other nations, and thereby dangerous to their repoſe.

They are particularly famous for their dexterity in the uſe of the ſling: and they took a certain method for attaining it. They were exerciſed in it from their infancy: and mothers did not put bread into their children's hands, but made them beat it down with their ſlings. They united force with this addreſs, and the beſt tempered arms were ſcarce proof againſt the ſtones they diſcharged. When they went to battle, they carried three ſlings with them of unequal length, according to the different diſtances, at which they might have occaſion to uſe them againſt the enemy.

This people were pacific, as we have ſaid. However, ſome individuals having leagued themſelves with the pirates that infeſted the ſeas, nothing more was wanting to give Metellus a pretext, who was Conſul the 629th year of Rome, for carrying the war into their country. They were deſirous to oppoſe the deſcent of the Roman army. But the Conſul

ful rendered their ſlings uſeleſs, by placing ſkins upon the ſides of his decks, which deadened the blows. As ſoon as the Roman troops landed, they fled, and diſperſed on all ſides in the country, ſo that it was more difficult to find, than defeat, them.

To ſecure his conqueſt, Metellus planted two colonies, Palma and Pollentia, the one at the eaſt, and the other at the weſt. He triumphed in 631, and aſſumed the ſirname of Balearicus. The family of the Metelli ſeem to have been very fond of theſe pompous ſirnames. The father of him I am now ſpeaking of, had aſſumed that of Macedonicus, though what he had done in Macedonia was incomparably ſhort of the conqueſt of that kingdom by P. Æmilius, who however took no new ſirname on that account. We ſee here the ſon and nephew of Macedonicus, who adorn themſelves with the titles of Balearicus and Dalmaticus. We ſhall ſoon ſee in the ſame family thoſe of Numidicus, Creticus, &c. We ſee from the truth of Livy's obſervation, that the example of the firſt Scipio Africanus made way for the vanity of thoſe who came after, to adorn itſelf with the like titles, without having deſerved them like him.

The war againſt ſome ſtates of Tranſalpine Gaul was more conſiderable than thoſe of which I have ſpoke hitherto, and incurred by juſter cauſes.

The Romans had not yet made any conqueſt in Gaul beyond the Alps. They had before paſſed thoſe mountains in the 598th year of Rome. But this expedition, which we have related in its place, had no other conſequence than to ſecure the tranquility of the people of Maſſylia, [Marſeilles] at whoſe requeſt it had been undertaken, againſt the incurſions and inſults of their neighbours.

It was again at the requeſt of the ſame Maſſilians that the Romans, at the time of which we are ſpeaking, paſſed the Alps. But they did not content themſelves with having aided their allies. They eſtabliſhed a laſting ſettlement in the Gauls, and

and began to form a province, or conquered country, there.

M. PLAUTIUS HYPSÆUS. A. R. 629. Ant. C. 125.
M. FULVIUS FLACCUS.

The * Salluvians, a people of † Gaul, in whoſe territory Maſſilia had been built, had always conſidered the augmentation of that foreign colony with a jealous eye. The Maſſilians, harraſſed and fatigued by them, had recourſe this year to the protection of the Romans. Rome had then Fulvius for Conſul, the friend of Caius, a turbulent and ſeditious man, whoſe unfortunate end we have related. The Senate was very glad to remove a factious Conſul; and Fulvius no leſs to have an occaſion of acquiring a triumph. To his great ſatisfaction therefore, as well as that of the Senate, he was charged with the war againſt the Salluvians.

C. CASSIUS LONGINUS. A. R. 628. Ant. C. 124.
C. SEXTIUS CALVINUS.

The exploits of Fulvius in Gaul were not very conſiderable. He however obtained the honour of a triumph either through the favour of the People, or becauſe the Senate itſelf believed a triumph over the Tranſalpine Gauls an happy preſage. C. Sextius, Conſul of this year, was ſent to relieve him. But he did not ſet out till towards the end of his Conſulſhip, or the beginning of next year in quality of Proconſul.

Q. CÆCILIUS METELLUS. A. R. 629. Ant. C. 123.
T. QUINTIUS FLAMININUS.

Sextius finding the war rather juſt began, than much advanced, by Fulvius, carried it on with vi-

* This people is called Salyi, Salvii, and Salluvii.
† Some authors make this people Ligurians by origin: but they were ſettled in Gaul.

gour.

A. R. 629. Ant. C. 123. gour. He gained ſeveral ſmall advantages over them, and at length a conſiderable victory near the place where the city of Aix now ſtands. This General, by a wiſe moderation, highly neceſſary in new conqueſts, had the addreſs to unite lenity with force and the terror of arms. Diodorus relates, that at the time he had ordered the inhabitants of a city of the enemy to be ſold, which he had taken, one Crato, who was in chains, amongſt the reſt, came to him, and told him, he had always been a friend of the Romans, and on account of his attachment to their intereſts had ſuffered much ill treatment from his countrymen. Sextius, on being aſſured of the truth of the fact, not only gave Crato and all his family liberty, but ſuffered him to deliver nine hundred priſoners at his choice from ſlavery.

Diod. ap. Vales. p. 377.

The Proconſul took up his winter-quarters in the place where he had fought the battle; and as the country was good, and abounded with ſprings, of which ſome were hot, he built a city there, which from thoſe waters, and the name of its founder, was called Aquæ Sextiæ. This is now the city of Aix, the capital of Provence.

He alſo cleared all the coaſt from Marſeilles to Italy, by driving away the Barbarians to a thouſand or fifteen hundred paces from the ſea: and he gave the whole extent of thoſe coaſts to the Maſſilians. The following year he returned to Rome, and triumphed, having been ſucceeded by Cn. Domitius, of whom we ſhall now ſpeak.

A. R. 630. Ant. C. 122.

C. FANNIUS.

Cn. DOMITIUS AHENOBARUS.

The Salluvii were ſubjected, but the war was not over; their misfortune, and no doubt the apprehenſion of the like fate, engaging other powerful neighbouring ſtates in their cauſe; and Domitius on arriving in Gaul, found more enemies than Sextius had overcome. Teutomalius, the King of the Salluvii

luvii, had retired into the country of the Allobroges, who openly took upon them his defence: and Bituitus, King of the Arverni, who had given refuge in his dominions to many of the principal perſons of the conquered nation, ſent even Ambaſſadors to Domitius to demand their re-eſtabliſhment. A. R. 630. Ant. C. 122.

Thoſe two ſtates united formed a very conſiderable power. The Allobroges inhabited the whole country between the Rhone and the Iſara, as far as the lake of Geneva: and the Arverni not only poſſeſſed Auvergne, but, if we believe Strabo, almoſt the whole ſouthern part of Gaul from the Rhone to the Pyrenees, and even to the ocean. The opulence of the laſt was in proportion to the extent of their territory; and it is ſaid of Luerius their King, the father of Bituitus, who then reigned, that to ſhew his riches, and gain the favour of the multitude, he croſſed a large plain in a chariot, throwing on all ſides pieces of gold and ſilver, which thouſands of Gauls gathered, as they followed him. It is added, that being deſirous to give a feaſt, he formed an incloſure of fifteen hundred paces ſquare, in which he cauſed tuns to be placed full of coſtly liquor, and ſo prodigious a quantity of proviſions of all kinds, that during ſeveral days, as many as pleaſed were entertained at table, without the leaſt interruption of the feaſt. Strab. l. ii. p. 291. Poſidon. apud Athen. l. v. c. 13.

We have ſaid before, that Bituitus ſent an embaſſy to Domitius. It was magnificent, but of a ſingular kind, that amazed the Romans. The Ambaſſador ſuperbly dreſt, and attended by a numerous train, had alſo a great pack of dogs with him; and one of thoſe Gauliſh poets, called Bards, whoſe employment was in his verſes and ſongs to celebrate the glory of the King, the Nation, and the Ambaſſador. This embaſſy was ineffectual, and probably ſerved only to inflame the diviſion on both ſides. App. ap. Fulv. Urſin.

A new ſubject of war was ſupplied by the Ædui, who inhabited the country between the Saone and the Loire, and whoſe principal cities were thoſe now called Autun, Chaalons, Mâcon, and Nevers. Theſe people

A. R. 630. Ant. C. 122. people were the firſt of Tranſalpine Gaul, that ſought the alliance of the Romans. They deemed it a great honour to be termed their Brothers; a title which was often given them in the decrees of the Senate. The Arverni and they had been very warm rivals in all times, concerning the firſt rank and principal power in Gaul. At the time of which we are ſpeaking, the Ædui, attacked on one ſide by the Allobroges, and on the other by the Arverni, had recourſe to Domitius, who heard them favourably. Accordingly every thing was prepared for the war.

A. R. 631. Ant. C. 121. L. OPIMIUS.
Q. FABIUS MAXIMUS.

The Allobroges and Arverni ſpared the Roman General the pains of marching in queſt of them: they advanced againſt him, and incamped at the confluence of the Sorgue and the Rhone, a little above Avignon. The battle was fought there. The Romans were victorious: but they were principally indebted for their ſucceſs to their elephants, whoſe ſtrange and unuſual form terrified both the horſes and their riders. The ſmell of the elephants, inſupportable to horſes, contributed undoubtedly to this diſorder. Oroſus tells us, that twenty thouſand remained on the ſpot; and three thouſand were taken priſoners.

So great a defeat did not diſcourage the two allied people. They made new efforts: and when the Conſul Q. Fabius arrived in Gaul, the Allobroges and Arverni ſuſtained by the Rutheni (people of Rouergue) marched againſt him with an army of two hundred thouſand men. The Conſul had only thirty thouſand: and Bituitus deſpiſed the ſmall number of the Romans ſo much, that he ſaid they were not a match for the dogs in his army. The event ſhews on this occaſion, as well as many others, how much advantage good order and diſcipline have over multitude.

The

The armies met near the confluence of the Iſara and the Rhone. The accounts come down to us, teach us little in reſpect to the circumſtances of this great action. The Gauls did not ſuſtain the firſt charge of the Romans, if it be true, as we find it in hiſtorical monuments, that they loſt at leaſt an hundred and twenty thouſand men in it, and that only fifteen were killed on the ſide of the Romans. The Conſul diſcharged the functions of General with amazing good conduct in this battle, though he was actually ſick of an ague, or, according to others, ſtill weak from a wound he had received ſome time before. He cauſed himſelf to be carried in a chair from rank to rank; or, when it was neceſſary to be ſet down, ſupported under the arms, he gave his orders, and animated his ſoldiers to do their duty. It is to be preſumed, that he attacked the enemy either whilſt they were paſſing the Rhone, or immediately after, without giving them time to draw up and form their line. A vigorous charge preſently put this army into confuſion, which its multitude, far from being an advantage, ſerved but to augment. But the flight was exceedingly difficult. The Rhone was to be paſſed over two bridges, one of which had been built in haſte with boats, and with little ſolidity. It broke under the weight of the multitude that fled, and thereby occaſioned the loſs of an infinite number of Gauls, who were drowned in that river, which every body knows is exceſſively rapid. Some undoubtedly were preſſed hard, and puſhed into the river. Many more periſhed in the water than by the ſwords of the victors. This great victory was gained by the Romans on the 10th of Auguſt: and the Conſul, according to Pliny, even gained in it the recovery of his health, and was rid of his fever from the day of battle.

A. R. 630. Ant. C. 122.

Plin. vii. 50.

The Gauls cruſhed by ſo great a blow, reſolved to aſk peace. Nothing remained, but to know to which of the two Roman Generals to apply: for Domitius was ſtill in the province. Reaſon was for preferring Fabius,

Val. Max. ix. 6.

A. R. 631. Ant. C. 121. Fabius, who was Conſul, and whoſe victory was far more glorious than that of Domitius. They did ſo: but Domitius, a proud and haughty man, revenged himſelf for it upon Bituitus, by a black treachery. He engaged that Prince to come to his camp under the pretext of an interview; and when he had him in his power, he cauſed him to be laden with chains, and ſent him to Rome. The Senate could not approve ſo criminal an act; but would not loſe the advantage of an uſeful perfidy: ſo much did what politicians call Reaſons of State, prevail at that time in the Roman Senate over the rules of honour and juſtice. Bituitus was kept priſoner. It was alſo decreed, that his ſon Cogentatius ſhould be taken, and brought to Rome. A kind of half-juſtice was however done that young Prince. After great care had been taken in his education, he was ſent back to the kingdom of his forefathers, where he faithfully cultivated the amity he had ſworn to the Romans.

Diod. ap Vales. p. 386.

It appears, that the conquered ſtates were differently treated by the Romans. The Allobroges were made ſubjects of the Commonwealth. As to the Arverni and Rutheni, Cæſar tells us, that the Roman People pardoned them, did not reduce them into a province, and impoſed no tribute upon them. Hence it is probable, that the Roman province in the Gauls at firſt included only the countries of the Salluvii and Allobroges. The following years do not afford any more conſiderable events; though it is not unlikely, but that the Conſuls of thoſe years were ſent into Gaul, and perhaps extended the Roman province along the ſea as far as the Pyrenees. It is however certain, that three years after the victories we have juſt related, the Conſul Q. Marcius founded the colony of Narbonne, to which he gave his name, Narbo Marcius. We cannot better expreſs the deſign of this ſettlement than in Cicero's terms, who calls Narbonne*

Cæſ. de Bell. Gall. 1.

* Narbo Marcius colonia noſtrorum civium, ſpecula populi Romani, ac propugnaculum iſtis ipſis nationibus oppoſitum & objectum. Pro Font. n. 3.

the

the watch-tower of the Roman People, and their bulwark againſt the Gauliſh nations.

I return to Domitius and Fabius, who continued in Gaul part of the year 632. They both erected trophies, adorned with the ſpoils of the enemy, on the fields of battle, where they had defeated them. This was a novelty to the Romans, who, as an hiſtorian * obſerves, never inſulted the ſtates they ſubjected with ſuch monuments. Pompey alſo erected a trophy on the Pyrenees, after having quieted Spain, and was blamed for it. It has been farther remarked, as an inſtance of pride and arrogance in Domitius, that he made the tour of the province riding upon an elephant. This kind of circumſtances, which denote characters, ought not to be omitted in an hiſtory intended to promote the knowledge of men. A. R. 632. Ant. C. 120.

On their return to Rome, both Fabius and Domitius obtained triumphs. That of Fabius was both the firſt and the moſt ſplendid. Bituitus was the principal ornament of it. He appeared in it ſitting in the ſame ſilver chariot he had uſed on the day of battle, and with his arms painted with different colours. In conſequence of his victory, Fabius aſſumed the name of Allobrogicus, and thereby augmented the glory of the houſe of Fabia, of which he had been the diſgrace by his ill conduct in his youth. An uncommon example! but which proves however, that, though the early part of life paſt in debauchery gives reaſon to apprehend the ſame for all the reſt of it, it does not however determine that abſolutely as a neceſſary conſequence. Fabius Allobrogicus was the ſon of Q. Fabius, Scipio's eldeſt brother. and conſequently the grandſon of Paulus Æmilius.

It remains for me to ſpeak of the war againſt the Scordiſci, a † Gauliſh nation by origin, but tranſ- Juſtin. xxxii. 3.

* Nunquam populus Romanus hoſtibus domitis victoriam ſuam exprobavit. FLOR. iii. 2.

† I follow Juſtin; but do not pretend to warrant the truth of what he advances.

A. R. 632. Ant. C. 120. planted to the banks of the Danube. Their
fathers in antient times had accompanied Brenn
plundering the temple of Delphi. After the
diſaſter which ruined that army, as has been
elſewhere, the remains of it diſperſed into
countries. Part of it ſettled about the confluen
the Danube and the Save, that is to ſay, in the
try where Belgrade now ſtands, and took the
of Scordiſci. Their natural ferocity, increaſed
rigour of the climate they inhabited, and by
commerce with the barbarous nations around
carried them on to acts of cruelty, which the R
Flor. iii. 4. hiſtorians cannot mention without horror. Th
us, that they ſacrificed human victims to Bell
Mars, drank out of the ſkulls of their enemies
was cuſtomary with the Gauls) deſtroyed the
ſoners with fire, or ſtifled them with ſmoke
laſtly, which can hardly be told without tre
ripped up women with child, and deſtroyed
both mothers and the fruit of their wombs.

The occaſion of the war between the Roma
theſe Barbarians is not known: but C. Cato, th
Conſul who commanded againſt the Scordiſci,
entirely defeated the 638th year of Rome. He
himſelf to be drawn on by the enemy, who
ſtratagem with force, into foreſts and mo
where the Roman army was entirely deſtroyed.
victors ſpread like a torrent into the provinces
Commonwealth, as far as Dalmatia and the
ſea. That barrier ſtopped them: but in rage
venge, if we may believe Florus, they diſch
their darts againſt the waves, that oppoſed an
ble obſtacle to their progreſs.

The Roman Generals who ſucceeded Ca
more fortunate: and hiſtory mentions three,
dius, M. Livius Druſus, and M. Minucius,
gained ſeveral victories over the Scordiſci, afte
little is ſaid of this nation.

AFFAI

MAP OF THE ROMAN PROVINCE IN GAUL,

For M.r ROLLIN's Roman History, continued by M.r CREVIER.

By M.r D'ANVILLE Geographer to the K. of France, 1743.



AFFAIRS of the CITY, and other DETACHED FACTS.

Two Cenſorſhips firſt give us ſome great examples of ſeverity. A. R. 627.

The Cenſors Cn. Servilius Cæpio, and L. Caſſius Longinus, cited M. Æmilius Lepidus before their tribunal, as guilty of luxury and profuſion, for paying fifty thouſand ſeſterces a year (about 351. ſterling) for the houſe he lived in. Velleius Paterculus, who relates the fact, adds this reflexion: "In[a] theſe days, if any of us were to pay ſo little for an habitation, he would ſcarce be owned as a Senator. So ſudden is the fall from good to bad, from bad to depravity, and from depravity to the greateſt exceſſes." The ſame Lepidus had alſo at the ſame time, or not long before, another affair as ſingular upon his hands. He was accuſed before the People, and fined, for having built a country-houſe too high at ſome diſtance from Rome. Val. Max. viii. 1.

All remedies were too weak againſt the corruption of manners, which continually gained ground: and ten years after the time of which I have juſt ſpoke, Metellus Dalmaticus and Domitius Ahenobarbus being Cenſors, degraded thirty-two Senators: to find ſo many perſons worthy of being noted in that illuſtrious body, was a thing without example. Amongſt theſe degraded Senators was one of Conſular dignity, C. Licinius Geta, who was Cenſor himſelf ſometime after; whether he had retrieved his reputation by a change of conduct, or perhaps the very vices that had drawn that diſgrace upon him, ſerved to recommend him to a great number of citizens, who might A. R. 637.

[a] At nunc ſi quis tanti habitat, vix ut Senator agnoſcitur. Adeo naturâ à rectis in vitia, à vitiis in prava, à pravis in præcipitia perimur. VELL. ii. 10.

have good reaſon to deſire to have a Cenſor perſonally intereſted in not carrying ſeverity too far.

Another note of infamy, inflicted by the ſame Cenſors, Metellus and Domitius, fell by reflexion upon Marius, then Prætor, but ſtill far from the greatneſs and glory to which he afterwards attained. It was pretended, that to raiſe himſelf to the Prætorſhip, he had uſed falſe ſuffrages: and what authorized this ſuſpicion was, that a ſlave of Caſſius Sabaco, the intimate friend of Marius, had been ſeen amongſt thoſe who voted. The Prætor elect was accuſed in form, and his judges interrogated Caſſius, who replied, that being very dry, he had made his ſlave bring him a glaſs of water, who immediately withdrew. The affair went no farther before the judges: but the Cenſors thought that Caſſius deſerved to be noted, either for his intemperance, if he had ſpoke the truth, or for perjury, if otherwiſe; and degraded him from the rank of a Senator.

The ſame year M. Scaurus was Conſul, an illuſtrious perſon, whom we ſhall have occaſion to mention frequently in the ſequel. For that reaſon I take the preſent occaſion to introduce him. He was a Patrician, of the houſe Æmilia, but of a branch fallen into ſuch extreme poverty, that his father had been reduced to maintain himſelf by dealing in charcoal. He himſelf was ſometimes in ſuſpence whether he ſhould not take up the profeſſion of a banker. But being conſcious of merit, he threw himſelf in the way of honours, and reſolved to labour with courage to overcome ill fortune, and to renew the almoſt extinct glory of his name. He applied himſelf to the ſtudy of eloquence, and pleaded very much. The character of his eloquence ſuited that of his manners: it was grave, auſtere, and void of ornaments. We have the following picture of it from the hands of Cicero. "The * eloquence of Scaurus, a wiſe and upright

* In Scauri oratione, ſapientis hominis & recti, gravitas ſumma, & naturalis quædam inerat auctoritas: non ut cauſam, ſed ut teſtimo

map,

man, had in it a ſingular gravity, and kind of natural authority; ſo that in pleading for a client, he ſeemed rather a witneſs than an advocate. This manner of ſpeaking was thought not ſo proper for the bar and before the people: but for giving opinions in the Senate, of which he was long the chief and leading man, it was admirable. For it not only implied prudence, but what is more important, it carried with it an air of truth, highly adapted to engaging confidence." It appears, that he very early acquired the great authority in the Senate, of which Cicero ſpeaks; as many years before he was Conſul, it is ſaid, that the decree which armed Opimius againſt C. Gracchus, was paſſed by his advice. Auct. de vir. illuſtr.

As to probity, it is certain he had the outſide of it in a ſupreme degree. Cicero praiſes him every where as a man truly virtuous: but we muſt own that other authors, as Salluſt and Pliny, are not quite ſo favourable to him upon this head, and accuſe him of not being over nice in the means of enriching himſelf. His reputation was not clear, eſpecially in reſpect to the gold of Jugurtha. We ſhall ſpeak of it in the ſequel. It may alſo be looked upon as another blot in his life, to have been accuſed of caballing by P. Rutilius, the moſt worthy man of Rome in his times; if the perſonal intereſt of Rutilius in that proſecution had not diminiſhed the weight and authority of his accuſation. They demanded the Conſulſhip at the ſame time, and the preference having been given to Scaurus, it may be believed that animoſity and revenge magnified things in the eyes of Rutilius. What is uncommon in this, was, that Scaurus having been acquitted, accuſed Rutilius in his turn of the ſame crime. But what may be thought more for the ho-

nium dicere putares, quum pro reo diceret. Hoc dicendi genus ad patrocinia mediocriter aptum videbatur: ad Senatoriam vero ſententiam, cujus erat ille princeps, vel maximè. Significabat enim, non prudentiam ſolùm, ſed, quod maximè rem continebat, fidem. Cic. Bruto, 111, 112.

nour of both, and perhaps moſt true, is, that both were wrong in their accuſations.

For the reſt Scaurus, full of a noble confidence in himſelf, and as well as Cato major, between whom and him there is a great ſimilitude of character, * not being in the leaſt inclined to abate any thing of the praiſe he might deſerve, wrote his own life in three books: and † Tacitus obſerves, that neither he, nor Rutilius, who did the ſame, were either cenſured, or diſbelieved.

Scaurus did not neglect the art military, and made ſome campaigns in his youth. When he was Ædile, he applied himſelf entirely to the functions of his charge, that regarded the government of the city; and in the games which he was to give the People, he did not pique himſelf upon a trivial magnificence, which was equally incompatible with the ſmallneſs of his fortune and his natural diſpoſition. His Prætorſhip is entirely unknown; and as to his Conſulſhip, we have ſome detached circumſtances, which I am going to relate.

He ſuſtained the rights of his dignity with haughtineſs: and P. Decius, who was Prætor, having continued ſitting as he paſſed by, Scaurus commanded him to riſe, ordered his robe Prætexta to be torn, and his curule chair to be broken in pieces, and prohibited all perſons whatſoever to appear before his tribunal.

He had Gaul for his province, and gained ſome advantages over people little known, which howeve acquired him the honour of a triumph. But the exac diſcipline which he cauſed to be obſerved in his arm is much more eſtimable: it was ſo ſtrict, that, as h tells us himſelf, a fruit-tree, which happened to b within his camp, was ſo ſecure from the ſoldier that the next day, when the army decamped, it ha

Frontin. Strat. iii. 4.

* Haud ſanè detrectator laudum ſuarum. Liv. xxxiv. 15.

† Plerique ſuam ipſi vitam narrare fiduciam potiùs morum, qu arrogantiam arbitrati ſunt; neque id Rutilio & Scauro citra fide aut obtrectationi fuit. Tacit. Agric. n. 1.

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not loſt one of the fruit, with which it was laden the night before.

As the war did not engroſs him during the whole campaign, he employed the leiſure of his troops in uſeful works, and cauſed the marſhes to be drained, which the inundations of the Po had formed in the countries of Placentia and Parma. For this purpoſe he cauſed vents to be opened, and canals of ſufficient depth cut to carry off the water from the lands overflowed before.

Scaurus, during his Conſulſhip, was elected Prince of the Senate by the Cenſors Metellus and Domitius, in the room of Q. Metellus Macedonicus, who died ſometime before.

Many writers, in emulation of each other, have celebrated the good fortune of this Metellus Macedonicus. If we were to trace back the hiſtories of all nations, ages, and conditions of the world, ſays Velleius Paterculus, we ſhould ſcarce find a ſingle perſon to be compared for good fortune with Metellus. If we conſider him as a publick perſon, we ſee him adorned with triumph, and the moſt exalted dignities; we ſee him enjoy, during a long life, the firſt rank amongſt his countrymen, and maintain warm conteſts in reſpect to the public affairs, without the leaſt blemiſh of his reputation. As a private perſon, never was father of a family more happy. He had four ſons, all of whom he ſaw arrive at the age of maturity, and at his death had the conſolation to leave all of them alive, and in the higheſt dignities. His bier was carried by his four ſons, of whom one had been Conſul, and was actually Cenſor; the ſecond had alſo been Conſul; the third was then Conſul; and the fourth had been Prætor, and was raiſed to the Conſulſhip two years after. Add to theſe his ſons-in-law (for he had three daughters, all honourably married, and had borne him grandſons) two of theſe were Conſuls afterwards. "Is this dying," cries the hiſtorian, "or quitting this life with happineſs?" A thought of little ſolidity, a frivolous diſtinction Vel. l. 11.

with men, who having no certainty of another life, could ſee nothing in death, but the annihilation of all felicity. It is to thoſe, who have eternal glory in view, that death is really an happy removal from life, according to the force of the word *migrare*, uſed by Paterculus. *Hoc eſt nimirum magis feliciter de vita migrare, quam mori.*

This good fortune itſelf, which Metellus enjoyed during his life, was not ſo compleat as Velleius repreſents it: and Pliny, who ſometimes carries his miſanthropy too far, is not wrong, when he obſerves upon the ſubject in queſtion, that two things made a conſiderable breach in this ſuppoſed felicity. The one is the unworthy and cruel adventure by which he was very near periſhing through the fury of the Tribune Atinius: the other, his having been the enemy of the great Scipio Africanus. And might we not add, the extreme mortification he experienced, when Q. Pompeius, his enemy, was elected to ſucceed him, and the narrowneſs of ſpirit and injuſtice of the reſentment he expreſſed upon that occaſion? This laſt fact proves both that his happineſs was neither without cloud, nor his virtue without ſtain.

Plin. vii. 44.

It may however be ſaid, that the good fortune of Metellus Macedonicus was indeed exceedingly ſingular: and that good fortune ſeems to have extended itſelf to his whole family. For in the ſpace of twelve years we find more than twelve Conſulſhips, Cenſorſhips, or Triumphs of the Metelli: and in the year 639, two Metelli, brothers and both ſons of Macedonicus, triumphed on one day, the one over Macedonia, and the other over Sardinia. This amazing number of Conſulſhips in one and the ſame houſe occaſioned the poet Nævius to ſay: *Fato Metelli Romæ fiunt Conſules:* "It is fate, it is deſtiny, that make "the Metelli Conſuls at Rome:" Words that offended the family, as if extolling their good fortune were depreciating their merit.

A. R. 638. The 638th year of Rome gives us an example of corruption amongſt the veſtals, never heard of before

In the preceding times it had very ſeldom happened that a veſtal had been found faulty: and the day of their puniſhment was a day of univerſal mourning at Rome. But this year, of the ſix, which they were in all, three were proved criminal, two of which had even almoſt publickly abandoned themſelves to diſſolute practices. This unhappy event was believed to have been foretold by the misfortune of a young maid, who, being on horſeback with her father, was killed by thunder, and her body thrown one way, and the horſe another. The Augurs having been conſulted upon this accident, replied, as is ſaid, that this pretended prodigy threatened the veſtals, and the order of the Knights, with great infamy. Perhaps thoſe Augurs had ſome ſuſpicion of what became publick ſoon after. But let the prediction be as it will, the fact is as follows.

One L. Butætius Barrus, a Roman Knight, a profeſſed debauchee, weary of too eaſy conqueſts, was deſirous to exalt the guſt of his infamous pleaſures by the charm of difficulty and danger. He therefore attacked a veſtal, called Æmilia: and when he had ſucceeded in ſeducing her, the contagion ſoon ſpread, and two other veſtals, Licinia and Marcia, followed their companion's example. There was however this difference, that Marcia entered into an intrigue only with one; whereas Æmilia and Licinia admitted a multitude of gallants; becauſe when they had once began to extend their criminal amours, and ſaw that their ſecret took air, they engaged all thoſe to ſilence, whom they apprehended as witneſſes, by making them accomplices.

All this infamous myſtery, after having been long concealed, was at length brought to light by a ſlave, whoſe maſter was one of the guilty. This ſlave was one of the confidents, and liberty, with many other rewards, had been promiſed him. As he ſaw they did not keep their word, he went and diſcovered the whole. The college of Pontiffs, which by the conſtitution of Numa were judges of this affair, acted with

with great indulgence. Only Æmilia was condemned: a favourable ſentence was paſſed upon Marcia and Licinia, for which they were probably indebted, the one to her being leſs criminal, the other to the eloquence of the famous L. Craſſus, her relation, who being then twenty-ſeven years of age, defended her in an oration, of which Cicero ſpeaks with praiſe.

But the affair did not reſt there. The whole People cried out againſt this lenity of the Pontiffs on an occaſion wherein the crime was equally evident and odious; and the Tribune Sex. Peduceus having put himſelf at the head of thoſe who complained of the ſentence, cauſed an extraordinary commiſſion to be voted by the People, for re-hearing the cauſe of Marcia and Licinia, and at the head of that commiſſion placed L. Caſſius, who for that purpoſe was created Prætor a ſecond time, after having been Conſul and Cenſor. He was a perſon of rigid virtue and inflexible ſeverity; and one, as * Cicero obſerves, who had rendered himſelf agreeable to the people, not by politeneſs and popular behaviour, but by an auſterity of manners, which acquired him reſpect. He entirely anſwered the expectation of thoſe who had choſen him; for he not only condemned the two veſtals, but a great number of others, ſo that his tribunal was called the rock of the accuſed: *ſcopulus reorum.*

Val. Max. iii. 7.

It however is not probable, that a perſon ſo much praiſed for his virtue, ſhould confound innocence with guilt; and that, according to Dio's expreſſion, not only thoſe who were convicted, but all that were accuſed, were puniſhed. The example of M. Antonius, the illuſtrious orator, of whom we ſhall frequently have occaſion to ſpeak in the ſequel, is a proof, that to be accuſed did not ſuffice for being reputed a criminal. It is true, he behaved with ſuch courage and reſolution, as highly prejudiced his judgment in favour of his innocence.

Dio apud Valeſ. p. 626.

* Homo, non liberalitate, ut alii, ſed ipſa triſtitia & ſeveritate popularis. Cic. Brut. 97.

He was actually Quæſtor, and having Aſia for his province, was upon the point of ſetting out from Brundiſium, when he was informed, that he was accuſed before L. Caſſius. There was a law to exempt thoſe from proſecution who were abſent on the ſervice of the Commonwealth. But M. Antonius would not take the advantage of it, and returned from Brundiſium to Rome to appear for himſelf, and anſwer the accuſations brought againſt him. His trial came on: and one circumſtance rendered the offence very difficult for the accuſed. The proſecutors demanded, that a ſlave, who they pretended had carried a torch before him in the night, when he went to the criminal rendezvous, ſhould be delivered up to them, in order to his being put to the queſtion. This ſlave was very young: and Antonius was in extreme apprehenſions, both from the weakneſs of his years, and the violence of torments. But the ſlave himſelf exhorted his maſter to deliver him up without fear; aſſuring him, that his fidelity was proof againſt the moſt cruel inflictions. He kept his word; and the queſtion, which was very rigorous amongſt the Romans, whips, racks, and red hot irons, could not overcome his conſtancy, nor make him ſpeak in a manner prejudicial to the accuſed: an example which proves, that virtue, and conſequently true Nobility, is of all ranks and conditions. Antonius was acquitted, and ſet out for his province with honour and tranquility of mind.

The Senate beheld this degeneracy of manners as a publick calamity; and had recourſe, as had happened before on the like occaſions, to religion. The books of the Sibyl were conſulted, and in conſequence of the anſwer they were ſuppoſed to give, it was reſolved, that a temple ſhould be erected to Venus, under the new ſirname of Verticordia, which implied, that ſhe was invoked to change the heart. It was alſo added, that the ſtatue of Venus ſhould be placed, and dedicated, in this temple, by the moſt virtuous woman of Rome: a ſingular regulation in a matter not a little delicate. In order to this choice, the Ladies nominated Val. Max. viii. 15.

nated an hundred amongſt them: out of this hundred ten were choſen by lot, by whoſe voices Sulpicia, the daughter of Sulpicius Paterculus, and wife of Q. Fulvius Flaccus, was choſen. This fact no doubt puts the reader in mind of that concerning Scipio Naſica, declared by the whole Senate the moſt worthy and upright man of Rome, and deputed with that glorious title to receive the mother of the gods, juſt arrived from Peſſinuntum in Phrygia.

Another ſuperſtition was alſo put in practice, with the ſame view of appeaſing the wrath of the gods, but a cruel one, and highly unworthy of Rome, eſpecially at a time when philoſophy, and the arts of Greece, had begun to enlighten the minds of the Romans, and to reform their manners. In one of the publick places of the city they buried a male and female Gaul, and a Grecian man and woman. And what is entirely odd, whilſt they practiſed theſe abominable ſacrifices themſelves, they prohibited them ſeverely to ſome barbarous nations, amongſt whom they were authorized by law and cuſtom.

I proceed now to relate two famous trials, that ruined two illuſtrious perſons, inveſted with the principal dignities.

We have ſeen C. Carbo act very different parts. Though he had been friend to C. Gracchus, even to madneſs, he afterwards took upon him the defence of his murderer. On the expiration of his Conſul-
A. R. 633. ſhip, that is, the 633d year of Rome, he was accuſed; it is not ſaid of what crime, by L. Craſſus, who was then but one-and-twenty years old, and who made this cauſe his firſt trial of ſkill: for his oration for the veſtal Licinia, of which I have ſpoke above, was
Auct. de Cauſ. corr. Eloq. n. 34. ſix years later than this. It was much the cuſtom of young perſons who aſpired at the glory of eloquence, to endeavour to make themſelves known by ſome remarkable accuſation, that gave them opportunity to diſplay their talents, and at the ſame time to prove their zeal for juſtice, and their hatred for bad citizens. Carbo, whom Craſſus attacked, was certainly highly capable

capable of defending himſelf. With credit, power, and honours, he united great eloquence, which occaſioned him to be conſidered as the beſt orator of his time. But it had probably happened to him as to other * deſerters of their party, who make themſelves odious to thoſe they quit, and are ſuſpected by thoſe to whom they go over. He was undoubtedly not ſupported by the faction of the people, which he had abandoned, and the partiſans of the ariſtocracy did not confide in him. The young accuſer omitted nothing to leſſen the merit of his return to the party of the Nobility, in repeating to the judges the exceſſes he had been guilty of during his attachment to the Gracchi. He proceeded againſt him with ſo much vigour, that Carbo, to prevent an inevitable condemnation, poiſoned himſelf, as was believed, with cantharides.

Craſſus acquired great honour by this affair. † It was thought very glorious, that at an age when thoſe who exerciſe themſelves deſerve praiſe, this young orator ſhould practiſe at the bar what he might ſtill be only ſtudying in his cloſet with honour. But his eloquence was not the only thing that gained him applauſe. An act of juſtice and generoſity in reſpect to his enemy was more admired, and with reaſon. One of Carbo's ſlaves brought his maſter's papers to Craſſus, which might have been uſed for convicting him. Craſſus conceived horror for this treachery, and ſent back the ſlave to the accuſed in chains, with the caſe of papers, which he would not ſo much as open. He knew that this kind of war, as well as that made with arms, has its laws, which ought to be obſerved even between enemies.

But his too great timidity was upon the point of making him loſe the whole fruit of his labours,

* Transfugæ nomen execrabile veteribus ſociis, novis ſuſpectum. Liv. xxvii. 17.

† Quâ ætate qui exercentur laude affici ſolent—eâ ætate L. Craſſus oſtendit, id ſe in foro optimè jam facere, quod poterat domi cum laude meditari. Cic. de Off. II. 47.

and

and of ſaving Carbo. When he began to ſpeak he was quite diſconcerted, and loſt ground. He would have been under the neceſſity of retiring with confuſion, if the Preſident of the tribunal had not come in to his aid. Q. Maximus (this Preſident was ſo called) took compaſſion of the condition in which he ſaw the young orator, who promiſed infinitely. He broke up the aſſembly, and put off the cauſe to another day. Craſſus by this means had time to recover himſelf, and not only terminated the affair againſt Carbo with ſucceſs, but in the ſequel, both pleaded and ſpoke before the Senate and People with all the reſolution neceſſary; retaining of his former timidity only an * amiable modeſty, which not only did no hurt to his diſcourſe, but ſerved to recommend it, from the advantageous idea it gave of the orator's probity. This modeſty roſe to a kind of fear: and Cicero, juſt at the end of his career, introduced it again; declaring, that he never ſpoke in public without changing colour, eſpecially at the beginning of his diſcourſe, and trembling all over. † The more taſte and eloquence any one has, the more he perceives the greatneſs of the art of ſpeaking, and the difficulty of ſucceeding in it.

L. Craſſus, the year after he had cauſed Carbo to be condemned, ſeemed deſirous to make trial of the party of the People, in the affair of the colony of Narbonne, of which he pretended to be, and really was ‡ one of the founders. It appears, that the Senate oppoſed the eſtabliſhment of this colony; and Craſſus, in a diſcourſe which he made upon this ſubject, and which Cicero praiſes, as being of § great

* Fuit mirificus quidam in Craſſo pudor, qui tamen non modò non obeſſet ejus orationi, ſed etiam probitatis commendatione prodes Cic. l. I. de Or n. 122.

† Ut quiſque optimè dicit, ita maximè dicendi difficultatem, rioſque eventus orationis, exſpectationemque hominum pertime Cic. ibid. n. 120.

‡ It was the cuſtom of the Romans when they founded a colony, nominate three diſtinguiſhed perſons to preſide in ſettling it. T were called, "Triumviri coloniæ deducendæ."

§ Senior, ut ita dicam, quam illa ætas ferebat, oratio. Cic. Brut. n.

matur

maturity than could be expected from the orator's years, warmly attacked the authority of the Senate, and ſpared no pains to reduce it. This is the only ſtep of this kind that could be imputed to him. All the reſt of his life he was a zealous defender of the ariſtocratical party, and died, as we ſhall ſee, in defending it.

L. Craſſus, and M. Antonius, who was accuſed in the affair of the veſtals, are the two firſt Roman orators, that Cicero thinks, can be compared with the Greeks. We may ſee what has been ſaid upon that head at the end of the Antient Hiſtory.

We have not ſo large a detail to make concerning the condemnation of C. Cato. We have ſeen him ſhamefully defeated by the Scordiſci in 638. It was ſaid, that he behaved no better in the civil government of his province Macedonia, and at his return to Rome he was accuſed and condemned for extortion. A. R. 639. The damages of this kind which he had done the ſubjects of the Commonwealth, were however but very inconſiderable, as they were rated in the trial at only eighteen thouſand ſeſterces; about an hundred and ten pounds ſterling. For a perſon of Conſular dignity, the grandſon of Cato the Cenſor, and Paulus Emilius, and the nephew of Scipio Africanus, to be condemned for ſo ſmall a matter, is an inſtance of great ſeverity. But * in thoſe days, ſays Velleius, the will of doing ill, and not the quantity of the ill done, was conſidered: the intention was the rule of judging facts; and the quality, not the extent, of the injuſtice was enquired into. Perhaps alſo C. Cato's bad conduct in the war, and his defeat, were the real motives for the ſentence paſſed againſt him.

Let us conclude this ſection with a circumſtance more capable of pleaſing a reader who has a regard for the glory of Manners. About the beginning of the war with Jugurtha, L. Piſo, the ſon of him who

* Adeo illi viri magis voluntatem peccandi intuebantur, quam modum factaque ad conſilium dirigebant: & quid, non in quantum, adſtrictum foret, æſtimabant. VELL. ii. 8.

paſſed

paſſed the firſt law againſt public extortions, was ſent with the authority of Prætor into Spain, where ſome commotions had aroſe. There, whilſt he was exerciſing himſelf in the uſe of arms, he happened to break the ring he wore on his finger. The queſtion was to make another. Piſo, who piqued himſelf upon ſhewing that he was worthy of his father, and of the honourable ſirname of Frugi, or man of probity, which he had tranſmitted to him, and being unwilling that any body ſhould ſuſpect the ring he uſed to be a preſent received in his province, had recourſe to a very ſingular precaution. He ſent for a goldſmith into the forum of Cordova, where he then was, and weighed to him the gold in the ſight of all that were preſent, of which he ordered him to make a ring upon the ſpot before every body. Thus, ſays * Cicero, who has preſerved this fact, "though only half an ounce of gold was in queſtion, Piſo was deſirous that all Spain ſhould know whence it came; and that it was part of his own property, and not the gift of any body." This niceneſs, which perhaps abundance of people amongſt us would think exceſſive, cannot diſpleaſe thoſe who judge rightly of virtue. If there be exceſs in it, how laudable is that exceſs; and how much were it to be wiſhed, that men would err in having too much reſpect for the laws, and too much care in preſerving their reputation clear of blemiſh! This Piſo was killed in Spain, it is not known how.

* Ille in auri ſemuncia totam Hiſpaniam ſcire voluit, unde Prætori annulus fieret. Cic. iv. in Verr. n. 57.

THE

THE ROMAN HISTORY.

BOOK THE TWENTY-NINTH.

WAR WITH JUGURTHA.

THIS book begins from Jugurtha's aſcending the throne, and contains about fourteen years, from the 634th to the 647th year of Rome. It contains the war with Jugurtha, and ſome detached facts.

SECT. I.

Preamble. Abridgment of the hiſtory of Maſiniſſa. Praiſe of that Prince. Partition of his dominions after his death. Character and great qualities of Jugurtha. Micipſa, ſon of Maſiniſſa, ſends Jugurtha to ſerve at the ſiege of Numantia. He acquires great reputation there. Scipio ſends home Jugurtha with a letter to Micipſa full of his praiſes. Micipſa, at his return, adopts him. Being at the point of death, he exhorts his three ſons to live in great unity. Hiempſal, the youngeſt ſon, quarrels with Jugurtha, who cauſes him to be killed. Adherbal, the eldeſt, is defeated in a battle by Jugurtha, and takes refuge at Rome. Jugurtha ſends

Deputies to Rome, and corrupts the principal perſons of the Senate. The Senate ſends Commiſſioners to Numidia, to make a new partition of that kingdom between Jugurtha and Adherbal. Jugurtha attacks Adherbal, and obliges him to take arms. He defeats his brother's army, and beſieges him in Cirta. The Senate, by their Deputies, order them to lay down their arms. Jugurtha, notwithſtanding thoſe orders, continues the ſiege with vigour. Adherbal writes to the Senate to implore its aid. Deputies are ſent to Jugurtha, who concludes nothing. Adherbal ſurrenders, and is murdered. War is declared againſt Jugurtha. He ſends his ſon as Deputy to Rome, who is ordered to quit Italy. The Conſul Calpurnius arrives in Numidia at the head of the army. Jugurtha corrupts him and alſo Scaurus, and makes a pretended treaty with them. Calpurnius returns to Rome, and is univerſally blamed. The Tribune Memmius animates the People by harangues againſt Jugurtha and his accomplices. L. Caſſius is deputed to Jugurtha, and perſuades him to go to Rome to give an account of his conduct. Jugurtha arrives at Rome, and corrupts the Tribune C. Bæbius. Memmius interrogates Jugurtha juridically before the People. Bæbius forbids him to anſwer, and breaks up the aſſembly. Jugurtha cauſes Maſſiva to be aſſaſſinated at Rome. He receives orders to quit Rome and Italy.

PREAMBLE.

THE war with Jugurtha, which I am going to relate, and which I ſhall continue, according to my cuſtom to the end, without interrupting the ſeries of it with foreign events, ſubſiſted only ſix years, but gave the Romans great occupation and diſquiet, their armies ſuffering the moſt ſhameful defeats. What rendered it more conſiderable was, its being in a manner in the boſom of this war the civil diſſentions between Marius and Sylla took birth, which coſt the Commonwealth ſo much blood, and ſpread deſolation throughout all Italy.

It is no doubt a great advantage to have ſuch an uthor as Salluſt for my guide in this hiſtory. His merit, univerſally admired for ſo many ages, ſtands in no need of my praiſe. But I cannot omit Quintilian's judgment, who in that excellent chapter wherein he gives us the characters of all the ancient authors, thinks it enough in reſpect to Livy, to ſay, that "* by the different kinds of beauty which he knew how to unite in himſelf, he had acquired the immortal glory Salluſt had merited by the brevity of his ſtyle, and was rather equal to, than like, him."

If the † brevity and conciſeneſs of Salluſt's ſtyle, which contains almoſt as many thoughts as words, as has been ſaid of Thucydides his model, muſt extremely pleaſe an intelligent reader, it muſt alſo be the deſpair of one who ſhould attempt to preſerve its beauties in another language. Let no one therefore be ſurprized frequently to find the copy infinitely ſhort of the perfection of the original. I might, to ſpare myſelf the compariſon, ſuppreſs the Latin: but am far from being willing to deprive my readers of ſo great a pleaſure.

Before I enter into the war of Jugurtha, I muſt go back a little, and give a brief idea of the hiſtory of Maſiniſſa, from whom he was deſcended.

BRIEF HISTORY OF MASINISSA.

Two Princes, Syphax, and Gala the father of Maſiniſſa, reigned at the ſame time in Numidia, but over different ſtates. The ſubjects of the firſt were called Maſæſuli, and occupied the weſtern part as far as Mauritania. The others were called Maſſyli, ſituated at the eaſt of the former, and bordering upon

* Ideoque immortalem illam Salluſtii velocitatem diverſis virtutibus ſecutus eſt. Nam mihi egregiè dixiſſe videtur Servilius Novianus, pares eos magis quam ſimiles. QUINTIL.

† Illa Salluſtiana brevitas, quâ nihil apud aures vacuas atque eruditas poteſt eſſe perfectius. Ibid.

the dominions of the Commonwealth of Carthage. The name of Numidians, which was common to both, is more known. The principal force of their armies conſiſted in cavalry. They rode their horſes without ſaddles; and many guided them without bridles; from which they are called in Virgil, *Numidæ infræni.*

Liv. xxiv. 48, 49. The ſixth year of the ſecond Punic war, Syphax had attached himſelf to the party of the Romans. Gala, to prevent the progreſs of a neighbour already too powerful, thought it neceſſary to ſupport himſelf with the alliance of the Carthaginians, and ſent a numerous army againſt him under his ſon Maſiniſſa, then only ſeventeen years old. Syphax was defeated in a battle wherein thirty thouſand men were killed, and fled into Mauritania. But in the ſequel things very much changed aſpect.

Liv. xxix. 29—34. Maſiniſſa, after the death of his father, experienced all the viciſſitudes and rigors of fortune; deprived of his kingdom, re-eſtabliſhed, dethroned again, warmly purſued by Syphax, and every moment upon the point of falling into his enemy's hands, without troops, arms, or a ſecure aſylum. In theſe ſad circumſtances, his valour and the amity of the Romans were his reſource. Having attached himſelf to the firſt Scipio Africanus, he ſhared in his victory over the Carthaginians and Syphax. From thenceforth his life was one continued ſeries of proſperity, without being interrupted by any unhappy accident. He not only recovered his kingdom, but added to it that of Syphax his enemy; and became the moſt powerful Prince of Africa.

As he owed every thing to the Romans, he continued firm in that honourable alliance with inviolable zeal and fidelity. He retained a very robuſt ſtate of health to the end of his life, which was partly the effect and reward of his extreme ſobriety in eating and drinking, and of the care which he took to inure himſelf continually to labour and fatigue. Polybius obſerves, (which paſſage we have from Plutarch) that

An ſeni gerenda ſit Reſp. p. 791.

the next day after a great victory over the Carthaginians, he was found before his tent, making a meal of a piece of brown bread.

Scipio the younger, who afterwards ruined Carthage and Numantia, was ſent to Maſiniſſa by Lucullus, under whom he ſerved in Spain, to aſk elephants of him. He arrived exactly at the time that Prince was going to give the Carthaginians battle. He was ſpectator of it from the top of an hill near the place where it was fought. I have already obſerved elſewhere, that he was very much amazed to ſee Maſiniſſa, then more than fourſcore years old, mounted on an horſe without a ſaddle, according to the cuſtom of the country, giving his orders on all ſides, and like a young officer, ſuſtaining the greateſt fatigues. He contracted a particular friendſhip with that Prince, who was extremely pleaſed that he was preſent at his victory, and paid him all the honours due to the worthy heir of his benefactor.

Some few years after, Maſiniſſa falling ſick, and finding himſelf near death, wrote to the Proconſul, under whom Scipio then ſerved at the ſiege of Carthage, to deſire him to ſend the latter to him; adding, that he ſhould die contented if he could expire in his arms, after having made him the depoſitary of his laſt will. But perceiving that his end approached before he could have that conſolation, he ſent for his children, and told them, "That he knew no people upon earth except the Romans, and of that people only the family of the Scipio's: That in dying he left Scipio Æmilianus abſolute power to diſpoſe of his eſtates, and divide his kingdom amongſt his children: That it was his will, whatever Scipio ſhould decide, ſhould be punctually executed, as if himſelf had ſo appointed in writing." After having ſpoke this, he died * at a very advanced age, having re- Val. Max. v. 2. App. p. 63.

* Moſt authors, when they ſpeak of his death, make him at leaſt ninety years old. But, if in the ſixth year of the ſecond Punic war he was but ſeventeen, as we have ſaid after Livy, when he died, he could be only in his fourſcore and third year.

tained the whole ſtrength of his mind and body to the laſt. Cicero tells us, that even in the laſt years of his life, if he had ſet out upon a march on foot, he did not mount on horſeback; that if he was on horſeback, he did not diſmount to walk; that neither cold nor rains could oblige him to cover his head; in a word, that he enjoyed a very robuſt ſtate of health, ſo as to diſcharge all the functions and duties of the ſovereignty. He left behind him a prodigious number of children, (ſome ſay forty-four) of which one was but four years old, and three only born in lawful marriage, Micipſa, Guluſſa, and Manaſtabal.

Cic. de Sen. n. 34.

This Prince may be deemed one of the greateſt Kings, of whom hiſtory has preſerved the memory. As a warrior, and able politician, he knew how both to acquire and preſerve a powerful ſtate, which he governed during almoſt ſixty years with great wiſdom. Reſpected by his numerous family, he always maintained peace and good intelligence in it; and his houſe was exempt from all thoſe jealouſies, thoſe violent enmities and horrors, with which the courts of the Kings his cotemporaries abounded. His ſuperior genius raiſed him above the barbarity of his nation, and made him even labour to eſtabliſh good polity, and to civilize his people, who had been almoſt ſavages till his time, and lived by hunting, and upon the milk of their cattle. He diſciplined them; and from robbers, which they were before, he made them ſoldiers. He made agriculture flouriſh, or rather introduced it, in his dominions. Numidia was not cultivated before him, and even paſſed for a barren country. But it was not the land that was wanting to the inhabitants; but the inhabitants who neglected a fertile ſoil, and who left it for a prey to beaſts; chuſing rather to rob and pillage from one another. Maſiniſſa knew the goodneſs of the land, and cauſed it to be cultivated; and Numidia by his care and pains became as rich in grain and fruits as any other nation of the world.

Polyb. apud Valeſ. p. 174.

Hi

His eſtates and dominions were divided by Scipio, whom he left abſolute arbiter in that reſpect. Scipio decreed, that the name and authority of King ſhould appertain in common to the three legitimate Princes, and gave the reſt conſiderable eſtates. According to Diodorus, each of them had a thouſand acres of land, with all that was neceſſary for cultivating them. In the partition of the functions of the ſovereignty between the three Princes, he had regard to the character and genius of each. Micipſa, who was the eldeſt, was a lover of peace and letters. He gave him the capital city and the finances. Guluſſa, who was a warrior, had all that related to war and the troops for his part. Manaſtabal, a great lawyer, was charged with the adminiſtration of juſtice to the people. But Micipſa ſoon united the whole authority in his own perſon by the death of his two brothers. He reigned thirty years, always in peace, making the ſtudy of letters and philoſophy his delight, and taking great pleaſure in the converſation of learned men, whom he invited from Greece to his court, and attached to his perſon.

Diod. ap. Valeſ. p. 386.

BEGINNINGS OF JUGURTHA.

Micipſa had two ſons, Adherbal and Hiempſal: and cauſed his nephew Jugurtha, the ſon of Manaſtabal by a concubine, to be educated in his palace, and took as much care of him as of his own children. The latter had excellent qualities, that acquired him general eſteem. He was well made, of a beautiful aſpect, abounded with wit and ſenſe, and did not, as is uſual with young perſons, give into luxury and pleaſure. He exerciſed himſelf with thoſe of his years in racing, darting the javelin, and riding the war-horſe. Hunting was his ſole amuſement; eſpecially hunting of lions and other fierce beaſts. * Though

* Cùm omnes gloriâ anteiret, omnibus tamen carus eſſe. Plurimum facere, & minumum ipſe de ſe loqui. SALLUST.

he was ſuperior in all things to his companions, he had the addreſs to acquire their affection: he was more intent upon deſerving, than receiving, praiſe; doing much, and ſpeaking little of himſelf.

So ſhining, and ſo generally approved a merit, began to give Micipſa diſquiet. He ſaw * himſelf far advanced in years, and his children very young. He knew of what ambition is capable when a throne is in queſtion; and that with much fewer talents and leſs moderation than Jugurtha had, it was eaſy to be allured by ſo affecting a temptation, eſpecially when ſupported by circumſtances entirely favourable. He diſcerned with grief, that he had brought up a ſecret enemy in his houſe, and one who would perhaps be its deſtroyer.

In order to remove ſo dangerous a rival of his children, he gave him the command of the troops he was going to ſend to the aid of the Romans, then before Numantia, under the command of Scipio Æmilianus. He flattered himſelf that Jugurtha, brave as he was, might precipitate himſelf into ſome dangerous action that might coſt him his life. That young prince acquired ſo much reputation by his aſſiduity in the ſervice, his exact obedience, and his ardour to ſignalize himſelf on the moſt hazardous occaſions, that it was hard to judge, whether he was more eſteemed by the Romans, than dreaded by the enemy. And † what is very extraordinary in his age, he was not only intrepid in battle, but of ſingular prudence in council; of which the one is apt to occaſion a too cautious timidity, and the other a too raſh boldneſs. Accordingly the General, having diſcerned all his merit, treated him with more and more regard, and profeſſing peculiar amity and confidence for him, he uſually

* Terrebat eum natura mortalium avida imperii, & præceps ad explendam animi cupidinem: præterea opportunitas ſuæ liberorumque ætatis, quæ etiam mediocres viros ſpe prædæ tranſverſos agit. SALLUST.

† Ac ſanè, quod difficillumum in primis eſt, & prælio ſtrenuus erat & bonus conſilio: quorum alterum ex providentia timorem, alterum ex audacia temeritatem adferre plerumque ſolet. SALLUST.

charged

charged him with the moſt difficult and dangerous commiſſions. Beſides this, Jugurtha was liberal and magnificent, was very engaging in his manners, and poſſeſſed the art of inſinuating into favour in a ſupreme degree, ſo that he gained the hearts of a great number of Romans, who contracted a very ſtrict and intimate friendſhip with him.

There was at that time many in the army, as well of the Nobility as of leſs conſiderable families, who ſet a much greater value upon riches than probity; theſe were of a turbulent and factious diſpoſition, and by their intrigues had acquired credit at Rome and with the allies; but had a more extenſive than advantageous reputation. Theſe dangerous ſpirits, to kindle Jugurtha's ambition, which was but too ardent before, gave him to underſtand, that when Micipſa died, he might have the kingdom of Numidia alone: that his valour made him worthy of it; and for the reſt, every thing was ſold at Rome.

Scipio, after the taking of Numantia, deſigning to diſmiſs the auxiliary troops, and to return to Italy himſelf, gave Jugurtha great praiſes, and honoured him with military rewards in the preſence of the whole army. He afterwards took him alone into his tent; and as he was not ignorant of the dangerous intimacies he had contracted, and the pernicious counſels of the young Romans mentioned above, he gave him ſalutary advice in reſpect to his conduct, well worthy of that wiſdom and virtue which rendered Scipio ſtill more admirable than the glory of arms. He told him, "That the amity of the Roman People was to be cultivated rather by methods of honour, than by dark practices, and by attaching himſelf leſs to particulars than to the body of the State itſelf. That it was dangerous to deſire to buy of ſome citizens by gifts what belonged to the public. That if he perſevered in the paths of virtue, as he had hitherto, he could not fail of glory and the royal dignity, which would in ſome ſenſe meet him half way: whereas, if through a precipitate ardour, he propoſed to obtain it

it by dint of preſents, his very money would prove the cauſe of his ruin."

After having given him this advice, with which he mingled abundance of expreſſions of friendſhip and eſteem, he ſent him back to his own country with a letter for Micipſa, conceived in theſe terms: "Jugurtha, your nephew, has extremely diſtinguiſhed "himſelf by his valour and wiſdom in the war of "Numantia. I know that this news will give you "extreme pleaſure. His merit has made him very "dear to me. I ſhall endeavour ſo to act, as to "make him alſo beloved by the Senate and People of "Rome. I ſhould believe myſelf wanting to our "friendſhip, if I did not congratulate you upon "having in the perſon of Jugurtha, a nephew worthy "of you, and of his grandfather Maſiniſſa."

When the King ſaw that all the good things publick report had ſaid of Jugurtha were confirmed by the Roman General's letter, moved with ſo authentic a teſtimony, he reſolved to change his conduct for the future, and entertained no thoughts but to win him by force of favours and obligations. He began by adopting him; and by his will he appointed him joint heir with his two ſons.

A. R. 634. Ant. C. 118. M. PORCIUS CATO. Q. MARCIUS REX.

Micipſa ſeeing himſelf at the point of death, ſent for the three Princes together, and made them approach his bed. There, in the preſence of the principal perſons of his court, he ſpoke as follows. "You "remember, Jugurtha, that having loſt your father "at a very tender age, you were left without hope "or ſupport, when I received you into my houſe, "believing that I ſhould not be leſs dear to you on "account of my favours, than if I had given you "life, and that you would do great honour to our "family. I have not been deceived in my expecta-"tion. For, not to mention many others of your

"actions,

" actions, by your laſt behaviour at the War of Nu- A. R. 634.
" mantia you have acquired the higheſt glory for me Ant. C.
" and my kingdom; from declared friends, as the 118.
" Romans were before, to us, you have induced
" them by your merit to become ſtill more ſo: you
" have given new birth to the name and memory of
" our houſe in Spain: and laſtly, which is very ex-
" traordinary and difficult amongſt men, you ſur-
" mounted envy by the luſtre of your glory. * Now,
" when I ſee the end of my life draws nigh, I call
" upon you, I conjure you, by this right hand with
" which I adopted you, and have aſſociated you in
" the ſovereignty with my ſons, ſincerely to cheriſh
" them, who are your near relations by birth, and
" are become your brothers by my favour, and that
" you will not do them the injuſtice to chuſe rather
" to attach ſtrangers to you, than to retain the af-
" fection of thoſe who are united to you by blood.
" It is neither armies nor treaſures that are the ſup-
" port of a kingdom; but friends, who are neither
" acquired by arms, nor gold, but by real ſervices
" and inviolable fidelity. Now can one have better
" friends than one's brothers; and what faith can he
" expect from ſtrangers who becomes an enemy to
" his near relations? I leave you a kingdom, ſtrong
" if you behave with virtue; but weak, if otherwiſe.
" For the ſmalleſt ſtates augment by unity; and the
" greateſt are deſtroyed by diſcord. For the reſt,

* Nunc, quoniam mihi natura finem vitæ facita per hanc dextram, per regni fidem moneo obteſtorque, uti hos, qui tibi genere propinqui, beneficio meo fratres ſunt, caros habeas; nec malis alienos adjungere, quàm ſanguine conjunctos retinere. Non exercitus, neque theſauri, præſidia regni ſunt, verum amici: quos neque armis cogere, neque auro parare queas: officio & fide pariuntur. Quis autem amicior, quàm fratres? aut quem alienum fidum invenies, ſi tuis hoſtis fueris? Equidem ego regnum vobis trado, firmum ſi boni eritis: ſi mali, imbecillum. Nam concordia res parvæ creſcunt, diſcordiâ maxumæ dilabuntur. Ceterùm ante hos, Jugurtha, qui ætate & ſapientia prior es, ne aliter quid eveniat, providere decet. Nam, in omni certamine, qui opulentior eſt, etiamſi accepit injuriam, tamen, quia plus poteſt, facere videtur. Vos autem, Adherbal & Hiempſal, colite, obſervate talem hunc virum: imitamini virtutem, & enitimini, ne ego meliores liberos ſumpſiſſe videar, quam genuiſſe. SALLUST.

" Jugurtha,

A. R. 634. Ant. C. 118. "Jugurtha, as you have more years and capacity "than my other two ſons, it is incumbent on you to "ſee this rule duly obſerved. Remember that in all "diſputes, he who is ſtrongeſt is always ſuſpected to "have done the injury, even though he has received "it, for the very reaſon, that he has more power and "occaſion to do it. As to you, Adherbal and Hi-"empſal, be careful to eſteem and reſpect the great "merit of Jugurtha. Imitate his virtue, and en-"deavour to prevent it from being ſaid, that my "children by adoption were better than thoſe I had "from nature." Micipſa concluded with recommending to them all to continue faithful to their engagements with the Roman People, and to conſider them always as their benefactors, patrons, and maſters.

Jugurtha, who rightly perceived that the King had not ſpoken according to his real ſentiments, and that the conduct of that Prince in reſpect to him had more of fear than good-will in it, returned him feint for feint, and concealing his thoughts with profound diſſimulation, he replied with ſuch profeſſions of affection and gratitude as the conjuncture of affairs required. Some few months after Micipſa died. As ſoon as the laſt honours were paid him with a royal magnificence, according to the cuſtom of the country, the Princes met to deliberate upon the preſent ſtate of affairs. Hiempſal, the youngeſt of the two brothers, a Prince of a proud and haughty diſpoſition, and who had always expreſſed great contempt for Jugurtha, on account of the meanneſs of his birth on the mother's ſide, on this occaſion took his ſeat upon his brother's right hand, to hinder Jugurtha from taking the poſt of honour in the middle; and it was not without great difficulty, that Adherbal prevailed upon him to go to the left, by repreſenting to him, that ſome regard was to be had to ſeniority.

After this beginning, which did not promiſe much unity, many things were brought upon the carpet concerning the adminiſtration of the ſtate: and amongſt other propoſals made by Jugurtha, he ſaid, that it was

was neceſſary to annul all the decrees made by the late King, during the laſt five years of his reign, becauſe having been ſuperannuated, his mind had ſhared in the infirmity of his body. Hiempſal haſtily replied, that he was entirely of that opinion, becauſe his father had adopted Jugurtha but three years before his death. That expreſſion was too home a ſtroke not to be ſenſibly felt by Jugurtha, and left a deep wound behind it. From thenceforth he gave himſelf up to the impreſſions of the moſt violent rage and diſquiet; ſtudied nothing night and day but means for deſtroying Hiempſal, and endeavoured by different methods to enſnare him. Hiempſal, on his ſide, did not ſpare him, and ſeemed to take pleaſure in aggravating his hatred. This did not laſt long; for the next year Jugurtha found means to have him murdered. A. R. 634. Ant. C. 118.

L. Cæcilius Metellus.
Q. Mucius Scævola. A. R. 635. Ant. C. 117.

The news of the murder of Hiempſal ſoon ſpread throughout Africa. Adherbal ſaw from thence what he had to fear for himſelf. Numidia was divided into two parties between the two brothers. Great armies were raiſed on both ſides. Adherbal, after having loſt moſt of his ſtrong towns, was defeated in a battle, and forced to take refuge at Rome.

Jugurtha, having effected his deſigns, ſaw himſelf maſter of all Numidia: but he had reaſon to fear from Rome. The remembrance of what he had heard of the avarice of the Nobility, capable of any thing for money, gave him hopes. He immediately diſpatched Ambaſſadors with great ſums, and orders to ſpare nothing, and to corrupt the Senators at any price. They ſoon found the reality of every thing being venal at Rome. They preſently acquitted themſelves of their commiſſion, and made an almoſt inſtant change in people's ſentiments. The cauſe of Jugurtha, ſo notorious and ſo hateful in itſelf, and againſt which at firſt all the

A. R. 635. Ant. C. 117. the world were prejudiced, ſoon wore a different aſpect.

When the Senate gave both parties audience, Adherbal related, "the unhappy condition to which he was reduced, the injuſtice and violence of Jugurtha, the murder of his brother, the loſs of almoſt all his fortreſſes, and the ſad neceſſity he was under of abandoning his kingdom, and of ſeeking an aſylum in a city that had always conceived it for her glory to protect Princes unjuſtly oppreſſed. He inſiſted principally on the laſt orders his father had given him at his death, to place his ſole confidence in the Roman People, whoſe amity would be a more firm and ſecure ſupport for himſelf and his kingdom, than all the troops and riches in the world." His ſpeech was long and pathetic.

Jugurtha's Deputies anſwered in few words: "That Hiempſal had been killed by the Numidians on account of his cruelty. That Adherbal had been the aggreſſor; and that after having been conquered, he complained of not having done all the ill he could have deſired. That their maſter deſired the Senate to judge of his conduct in Africa by that which he had obſerved at Numantia, and to have more regard to his actions, than to the reports of his enemies.

They had uſed, as I have ſaid before, an eloquence in ſecret, more perſuaſive than that of words; and it had all its effect. Except a ſmall number of Senators, who ſtill retained ſome ſentiments of honour, and were not ſold to injuſtice, all the reſt inclined to favour Jugurtha. The deliberations of the Senate terminated in appointing ten Commiſſioners to make a new partition of Micipſa's kingdom between Jugurtha and Adherbal. At the head of this commiſſion was L. Opimius, whoſe authority was then great in the Senate, after the ſervice he had done that Order, by the murder of C. Gracchus, M. Fulvius, and by the many other violences he had committed againſt the Plebeians. Jugurtha gave him the moſt honourable reception; and knowing his great avidity, took him

him in his foible, made him great preſents, and ſtill much greater promiſes. He at length ſucceeded ſo effectually in bringing him over, that he engaged him to prefer his intereſts to his faith, reputation, and honour. He acted in the ſame manner with the other Commiſſioners, amongſt whom he found few that had more regard for their duty than for money. The partition was made as Jugurtha wiſhed, however with ſome appearance of equity. He had for his ſhare the provinces adjacent to Mauritania, which were peopled with the beſt men, and were the beſt cultivated and moſt fertile. Adherbal had thoſe which, tho' more adorned with buildings, and more abundant in ſea-ports, had not ſo many ſolid, as ſeeming, advantages. A.R. 635. Ant. C. 117.

Jugurtha, who at firſt could not be without ſome fears, ſeeing his guilt in a manner rewarded, and having thereby experienced what his friends had told him at Numantia, that all things were venal at Rome, no doubt became more bold in his endeavours to compleat the deſign he had ſo happily begun. He however continued five years without moving, whatever reaſons he had for it. But at length, tired of that reſtraint, he determined to invade Adherbal's kingdom. This ſeemed eaſy to him. * He was active, enterpriſing, and well ſkilled in the art of war; Adherbal, on the contrary, was indolent, tranquil, and pacific; and as he had little experience of war, had little taſte for it; and conſequently was more expoſed to inſult, and more liable to fear others, than to be feared himſelf. Jugurtha accordingly entered his brother's territories with a conſiderable body of troops, carried off great numbers of captives and cattle, burnt towns and villages; and after having committed all kinds of hoſtilities, returned into his own kingdom with great ſpoils. This paſſed in the Conſulſhip of Druſus and Piſo.

* Ipſe acer, bellicoſus: at is quem petebat, quietus, imbellis, placido ingenio, opportunus injuriæ, metuens magis quam metuendus.

M. Livius

A. R. 640. Ant. C. 112. M. Livius Drusus.
L. Calpurnius Piso.

Jugurtha was in hopes that theſe hoſtilities would induce Adherbal to uſe reprizals, and thereby give him occaſion to purſue the war with vigour, and even to juſtify himſelf to the Romans, if neceſſary. But that Prince, though highly enraged by ſuch an inſult, perceiving himſelf the weakeſt, and relying more upon the amity of the Romans than the fidelity of his ſubjects, contented himſelf with ſending Ambaſſadors with complaints to his brother, who brought back only a diſobliging anſwer. Notwithſtanding this new affront, Adherbal reſolved to ſuffer every thing rather than undertake a war, in which his firſt trial had ſucceeded too ill. His timidity, ſo openly avowed, ſerved only to increaſe Jugurtha's boldneſs. He took the field, not with only a flying camp as before, but with a numerous army. He ravaged all the places through which he paſſed, putting all to fire and ſword, in order to ſpread terror amongſt the enemy, and to encourage his own troops. Adherbal, forced by neceſſity, and having no other choice to make, but either to abandon his kingdom, or defend it, raiſed troops, and marched againſt Jugurtha.

The two armies met near Cirta, not far from the ſea; but they did not come to blows then, becauſe it was late in the day. When the night was far advanced, but before day-light appeared, Jugurtha's ſoldiers, on the firſt ſignal given them, attacked the enemy's camp, and finding ſome half aſleep, and others taking arms, they preſently put them to flight. Adherbal eſcaped to Cirta with ſome cavalry; and if the * Romans and Italians, great numbers of whom were then in that city, had not ſtopt the purſuit of the victors, the buſineſs had been over; Cirta had been

* All the cities of trade either ſubject to, or in alliance with Rome, were full of Romans and Italians, whom commerce drew thither, and induced to ſettle there.

taken,

taken, and the war between two powerful Princes would have begun and ended in one and the ſame day. A. R. 640. Ant. C. 113.

Jugurtha, without loſing time, laid ſiege to the place, and made all his machines advance to attack it in form. He loſt no time to prevent the effect of the embaſſy, which he knew Adherbal had ſent to Rome before the battle. As ſoon as the Senate received advice of the war between the two brothers, three young Senators were appointed to go and declare in the name of the Senate and People of Rome, that they ſhould lay down their arms; the honour of the Commonwealth, and their own intereſt, requiring it.

Theſe Deputies uſed expedition, and the more, as before they ſet out, a report ſpread at Rome of the battle and ſiege of Cirta. Jugurtha, after having heard them, anſwered: "That he had the higheſt regard and reſpect for the authority of the Senate. That from his earlieſt youth he had made it his ſtudy to deſerve the eſteem of the moſt worthy perſons of the Commonwealth. That it could only be by virtuous actions that he had been ſo happy as to pleaſe ſo great a man as Scipio. That the ſame motive had induced Micipſa to adopt him, as he had children of his own. That for the reſt, the more he had acted with prudence and generoſity, the leſs he was diſpoſed to ſuffer injuries. That Adherbal had uſed the moſt odious expedients to deſtroy him; and that ſo preſſing a danger had reduced him to take arms. That the Roman people was too wiſe and equitable to tie up his hands on ſuch an occaſion, and prevent him from taking juſt precautions for the ſafety of his perſon, which would be contrary to the law of nations. And laſtly, that he ſhould immediately diſpatch Ambaſſadors to Rome to inform the Senate and People of the true ſtate of things." After this diſcourſe they parted, without the Ambaſſadors being able to obtain permiſſion to ſee Adherbal.

A. R. 640. Ant. C. 112. As ſoon as Jugurtha believed they might be out of Africa, ſeeing that Cirta, in effect of its ſituation, defended itſelf with eaſe againſt all his attacks, he drew a line of circumvallation ſtrengthened with towers, and ſufficient troops to guard them. He acted continually night and day, either by open attacks, or ſtratagem. Sometimes he endeavoured to bring over the garriſon by promiſes, and ſometimes to intimidate it by threats. He inceſſantly animated his own troops, diſpoſing all things, and being himſelf the ſoul of his enterprize.

Adherbal, reduced to extremities by an enemy from whom he had no quarter to expect, without hopes of aid, and the ſcarcity of proviſions not permitting him to ſuſtain the ſiege long, ſaw no other reſource but in the Romans. By great promiſes he engaged ſome Numidians to paſs the enemy's works in the night, in order to gain the ſea-coaſt, and carry a letter from him to Rome. It was read in the full aſſembly of the Senate, and its contents were as follows.

"It is not my fault, Fathers, if I ſeem importunate "to you, by ſo often imploring your aid: it is Ju- "gurtha's violence and injuſtice, that force me to do "ſo. He is ſo determinately bent on my deſtruc- "tion, that he ſets both you and the immortal Gods "at nought: only my blood can ſatiate his cruel "ambition. He has kept me beſieged five months, "in contempt of the alliance and amity by which I "am united with the Roman People. Neither the "benefactions with which my father Micipſa loaded "him, nor your decrees, are of any ſupport to me. "I cannot tell whether I am moſt diſtreſſed by arms "or by famine. The preſent ſtate of my fortune "prevents me from ſaying more in reſpect to Ju- "gurtha: I have experienced how little credit is "given to the complaints of the unfortunate. I "plainly perceive, he has not my perſon only in "view; he carries his ſchemes and deſigns higher. "He has no hopes of retaining my kingdom and "you

" your amity at the ſame time: but which of thoſe A. R. 640.
" two advantages he has moſt at heart, is not to be Ant. C.
" doubted. He began by killing my brother Hi- 112.
" empſal. He afterwards drove me out of my do-
" minions. Be inſenſible to our perſonal evils; I
" conſent to it. But the queſtion here is a kingdom
" dependant upon you, of which he has poſſeſſed
" himſelf by force of arms: it is the perſon whom
" yourſelves eſtabliſhed King of Numidia that he now
" keeps beſieged. The ſituation I am in ſhews the
" regard he has for your orders; which have been
" ſignified to him by your Ambaſſadors. What re-
" mains then that can make him return to his duty,
" except the force of your arms? For, as to me, I
" ſhould chuſe much rather, that the complaints I
" now make, and thoſe I have made before in full
" Senate, were without foundation, than to convince
" you, by my misfortunes, that they are but too
" true. But, as I am born to be the evidence of Ju-
" gurtha's crimes, I aſk no longer that you would
" preſerve me from miſery or from death; but only
" that you would prevent me from falling into the
" hands of ſo cruel an enemy, and that he may not
" degrade me ſo far, as to inflict all kinds of tor-
" ments and cruelties upon my body. Diſpoſe as you
" pleaſe of the kingdom of Numidia, that is your
" part; but extricate me out of the hands of this im-
" pious wretch, I conjure you by the majeſty of the
" Roman Name, and by the rights of amity. If you
" retain any remembrance of Maſiniſſa, ſhew it in
" preſerving his grandſon."

After this letter had been read, ſome Senators ſaid, that it was neceſſary to ſend an army directly into Africa, and not to defer aiding Adherbal: that they ſhould afterwards deliberate upon the puniſhment Jugurtha deſerved, for not having obeyed the orders which had been ſignified to him. His friends prevented this reſolution from paſſing: and * private in-

* Ita bonum publicum, ut in pleriſque negotiis ſolet, privatâ gratiâ devictum.

A. R. 640. Ant. C. 112.

tereſt, as happens in moſt affairs, prevailed over the publick good. Perſons of age and birth, who had paſſed through the greateſt offices, were however nominated to go to Africa. Of this number was Scaurus, then a perſon of Conſular dignity, and Prince of the Senate. Salluſt, who is by no means favourable to him, as we have before obſerved, gives us this deſcription of him. "He* was a man of high birth; of a warm, enterprizing, factious diſpoſition; greedy of power, honours, riches; to which may be added, great cunning in diſguiſing his vices under the appearance of virtue." As the affair was notoriouſly vile, they ſet out three days after they were appointed, and ſoon arrived at Utica, and from thence ſent Jugurtha orders to repair to them as ſoon as poſſible. This at firſt gave him great perplexity, and the more as he knew that theſe deputies were illuſtrious perſons, and of great authority. On the one ſide, he was afraid of irritating the Senate if he refuſed to obey: on the other, he could not reſolve to quit his enterprize. After much reflexion, he determined to make a general aſſault on the city ſuddenly, in hopes of carrying it, and thereby terminating the affair, before new orders from the Senate to the contrary ſhould be notified to him. But not having ſucceeded, and apprehending that Scaurus, of whom he was moſt afraid, might take offence at his affected delays, he at length reſolved to repair to the place appointed by the Deputies with a ſmall eſcorte of horſe. They made him warm reproaches, with great menaces, in the name of the Senate, for not having raiſed the ſiege. We do not know what reaſons he could give to juſtify himſelf: Hiſtory ſays nothing of them. It only tells us, that after much diſcourſe on both ſides, the Ambaſſadors returned without having concluded any thing: an extremely ſuſpicious conduct, which gives room to think, that from thenceforth Scaurus was not wholly inacceſſible to Ju-

* Æmilius Scaurus, homo nobilis, impiger, factioſus, avidus potentiæ, honorum, divitiarum: cæterùm vitia ſua callidè occultans.

gurtha

gurtha's preſence. For nothing is more contrary to the character of haughtineſs and inflexible auſterity, which he ſhewed upon all occaſions, than this eaſineſs, with which he ſuffers a Numidian Prince to treat the orders of the Senate, delivered by himſelf, with contempt. Florus affirms poſitively what we advance here only as conjecture. A. R. 640. Ant. C. 112.

However it were, this gave Adherbal his mortal wound. The Romans ſettled in Cirta, who had the principal part in defending the place, ſeeing that no farther aid was to be expected from Rome, and not apprehending much for themſelves, becauſe they concluded, that the majeſty of the Roman name would be a ſafeguard for them, perſuaded Adherbal to capitulate, on condition only that his life ſhould be ſaved. That unfortunate Prince ſaw plainly, that this was delivering himſelf up to ſlaughter: but forced by neceſſity, he ſurrendered himſelf, and was immediately put to death by Jugurtha in the moſt cruel torments.

Notwithſtanding the horror this news excited at Rome, Jugurtha's money ſtill found him defenders in the Senate; and the affair, by delays, obſtacles, and the falſe pretexts, with which endeavours were uſed to cover and embroil it, took a turn that gave reaſon to fear the criminal would again eſcape the puniſhment due to his crimes. But C. Memmius, Tribune elect, a warm man, and the declared enemy of the Patricians, told the People, that there was a powerful cabal formed, which employed their whole credit to ſave Jugurtha; and ſtrongly repreſented what a ſhame it would be, if ſo many atrocious crimes, known to all the world, ſhould be ſuffered to paſs with impunity. The Senate apprehended the conſequences of the People's juſt indignation; and war was declared againſt Jugurtha.

P. Scipio Nasica.
L. Calpurnius Bestia, A. R. 641. Ant. C. 111.

The Conſul Calpurnius was charged with this war. When Jugurtha ſaw that Rome was actually preparing

A. R. 641. Ant. C. 111. to attack him, he was exceedingly ſurprized. For he had aſſured himſelf that money would ſalve every thing. He however did not loſe courage, nor ſuffer himſelf to be diſconcerted. He made his ſon, with two of his intimate friends, ſet out immediately, with orders to ſpare no money for ſecuring the Senate in his intereſt. When they approached Rome, the Conſul Calpurnius aſked the Senate, whether they judged it proper that they ſhould be admitted. The anſwer was, that if they did not come to deliver up the King and kingdom of Numidia to the Romans, they ſhould quit Italy in the ſpace of ten days. This anſwer was ſignified to them, and they returned without having done any thing.

The Conſul however made all preparations for war. But as he propoſed rather to inrich himſelf, than to conquer, he choſe perſons of great credit for his Lieutenants, whoſe authority might ſerve to ſcreen him, and inſure him impunity. Of this number was Scaurus, who returned in conſequence into Numidia, to compleat the loſs of his reputation. * Calpurnius did not want merit. He was laborious, had great penetration of mind, and foreſight. He was not ignorant in the art of war, and neither dangers nor ambuſcades could daunt him. But the love of money ſpoiled all theſe good qualities, and rendered them uſeleſs. When he was arrived in Numidia, he at firſt made war with vigour, and took ſome towns and a great number of priſoners. Jugurtha's firſt care was to inform himſelf well of the genius and character of the General he had to deal with. He ſent Deputies to him, who artfully ſounded him, and, after having repreſented to him the difficulty of this war, Jugurtha being both able and determined to defend himſelf well, inſinuated at a diſtance, that their Prince did not want gratitude for thoſe who rendered him ſervices,

* In Conſule noſtro multæ, bonæque artes animi & corporis erant; quas omnes avaritia præpediebat. Patiens laborum, acro ingenio, ſatis providens, belli haud ignarus, firmiſſumus contra pericula & inſidias.

The

The * Conſul underſtood this language well; and nothing more was wanting to awaken and actuate his ruling paſſion. A. R. 641. Ant C. 111.

Scaurus entered into this infamous negotiation, to which he ought to have been the more averſe, as in the beginning, after the murder of Hiempſal, he had ſhewn himſelf one of the warmeſt of Jugurtha's adverſaries. But Salluſt makes no difficulty to ſay, that even then his zeal was mere hypocriſy; that he feared diſcovery, not injuſtice; and that, on the preſent occaſion, the greatneſs of the ſum offered him, took the maſk off his falſe virtue. Florus, who agrees in the fact with Salluſt, expreſſes himſelf however in a manner leſs diſreſpectful for Scaurus, and which even implies that he had an high idea of him. "Jugurtha," ſays he, "triumphed over the Roman virtue in the perſon of Scaurus." *Quem in Scauro ipſos Romani imperii mores expugnaſſet.*

The Numidian at firſt had not thoughts but of gaining time, in order to give his friends opportunity to act in his favour at Rome, and to ſtrengthen his party there. But when he was aſſured of Scaurus, and had brought him into his intereſts, he was in hopes of obtaining peace, and in order to that demanded an interview. It was granted him, and even an hoſtage was given him for his ſecurity. This was the Quæſtor Sextius, who was carried to a city of Numidia, called Vacca. It was pretended, that he went thither to bring proviſions from thence, which Jugurtha had engaged to furniſh.

That Prince came therefore to the Conſul's camp. The council of war was aſſembled. He preſented himſelf to it, and after having made a ſhort apology for his conduct, he concluded with proteſting, that he put himſelf into the hands of the Senate and People of Rome. The reſt of the negotiation was concerted in ſecret with Calpurnius and Scaurus: and the next day the council, after an appearance of deliberating,

* Animus æger avaritiâ facilè converſus eſt.

A. R. 641. Ant. C. 120. concluded, that the offer of Jugurtha, to deliver himſelf up to the Romans, ſhould be received. Jugurtha immediately, as partly in execution of the treaty, cauſed thirty elephants, a great number of cattle and horſes, with a next to inconſiderable ſum of money, to be delivered to the Quæſtors. Thus the peace was concluded in Numidia without the authority of the Senate and People; and the Conſul returned to Rome for the creation of magiſtrates. His Collegue P. Naſica died during the year of his Conſulſhip, as much eſteemed as Calpurnius had made himſelf deſpiſed and hated. Naſica, deſcended from an houſe in which virtue ſeemed hereditary, ſupported the honour of his name by ſtrict integrity, and was always proof againſt corruption. His mind was improved by philoſophy: but in his application to that ſtudy, his chief attention was to form his heart: ſo that he was more a philoſopher by his manners than his learning. For the reſt, his philoſophy had nothing of rigid and auſtere in it: it was even polite with gaiety. This appeared both in his familiar converſation and publick diſcourſes, in which, as Cicero tells us, he united elegance of language with the ſalt of humour and pleaſantry. I return to his Collegue, who reſembled him ſo little in conduct and ſentiments.

Cic. Brut. n. 128.

When the manner in which things had been carried in Numidia was known at Rome, the Conſul's conduct was univerſally condemned, and was the whole ſubject of converſation throughout the city. The People loudly declared their rage and indignation. The Senators were at a loſs, apprehending, that if they ratified ſo ſhameful a peace, they ſhould diſgrace themſelves; and on the other ſide, were not inclined to annul a treaty concluded by a Conſul who was dear to the party of the Great. For it was this Calpurnius, who, being Tribune of the People, had recalled P. Popilius, baniſhed by the faction of C. Gracchus. Beſides which, the authority of Scaurus, by whoſe advice it was known that the Conſul had acted throughout this whole affair, ſtopped thoſe who were

were beſt inclined, and prevented the taking of a vigorous reſolution. A. R. 641. Ant. C. 111.

However, the Tribune C. Memmius, in all times the declared enemy of the Patricians, harangued the People in the ſtrongeſt terms, and exhorted them not to ſuffer both the glory of the Commonwealth and their own liberty to be annihilated; ſetting before their eyes an infinity of haughty and cruel actions of the Nobility, to inflame their zeal, and to inſpire them with courageous ſentiments in the important affair of which we are ſpeaking. Salluſt in this place inſerts an harangue which, he ſays, he choſe out of ſeveral of that orator's, who was very famous in his time, eſpecially for accuſations; which gives reaſon to believe that it is really Memmius's. Cic. Brut. n. 136.

"Many reaſons, Romans, would prevent me from "preſenting myſelf before you at this time, if my "zeal for the publick good did not outweigh all "other motives: the credit of the faction that pre-"vails here, the exceſs of your indolence, the open "violation of the laws and of juſtice, and, which "moſt affects me, the grief to ſee that innocence, "far from being honoured as it deſerves, only incurs "dangers. I am aſhamed to repeat in what manner "you have been for fifteen or twenty years the ſport "of the pride of a few powerful men; with what "baſeneſs you ſuffered your defenders to periſh with-"out avenging their deaths; to how great a degree "indifference and inſenſibility have taken root "amongſt you, and debaſed your ancient courage; "and laſtly, even now, when your enemies give you "the juſteſt cauſe to lay hold of them, in what a "manner you neglect the advantage of their down-"fal for your riſe, and continue to fear thoſe to whom "you ought to make yourſelves dreadful. Though "all theſe conſiderations ſhould check me, yet the "impulſe of courage, and zeal for the publick good "within me, force me in a manner to oppoſe this "powerful cabal. I ſhall ſtill endeavour to uſe the

"liberty

A. R. 641. Ant. C. 111. "liberty my father left me: whether my efforts are "effectual, or not, depends on you.

"I do not exhort you, Romans, to repel the in- "juſtice and violence of your adverſaries with arms, "as your forefathers often did. There is no occaſion "for uſing force, or abandoning the city. Their "ruin ſhall be the work of their own hands. After "Tiberius Gracchus, who, as they tell the ſtory, "was for making himſelf King, had been killed, "cruel enquiries were made againſt the People. The "murders of C. Gracchus and M. Fulvius were "followed with the impriſonment and deaths of many "of you. It was not the authority of the laws, but "the mere caprice of your enemies, that determined "theſe two bloody executions. Admit, that to un- "dertake to re-eſtabliſh you in your rights, was actu- "ally a deſign formed to make themſelves Kings. "Admit alſo, that not being able to prevent that ef- "fect without ſhedding abundance of blood, they did "ſo legally. But with what pretext can they colour "their rapines and depredations? Do you remember "with what ſecret indignation you have ſeen for "years paſt your revenues diſſipated, Kings and free "States pay tribute to a few Patricians, and the ſame "men aſſume to themſelves both riches, and the "ſplendor of dignities. They did not ſtop there. "Impunity rendered them ſtill more bold and enter- "prizing. In a word, the laws, the majeſty of the "Commonwealth, all things ſacred and profane, have "been given up to the enemy. And the authors of "all theſe exceſſes know neither ſhame nor repentance "of them. They ſtrut before you, toſſing up their "heads, with pompous and magnificent trains, diſ- "playing their Pontificates, Conſulſhips, and ſome "of them their triumphs: as if all this argued true "merit, and not inſatiable ambition. Slaves, bought "for money, cannot bear the unjuſt rule of their "maſters: and you, Romans, born to command, "ſuffer ſlavery without emotion. But who then are

"thoſe

" thoſe that have thus uſurped the Commonwealth? A. R. 641, Ant. C. 111,
" The vileſt of wretches, murderers, in whom enor-
" mous avidity for money diſputes the preference
" with inhuman cruelty and barbarity; and who, with
" all this, are puffed up with pride and haughtineſs:
" in a word, men void of faith, honour, probity,
" who make a traffick of every thing, even of the
" moſt ſacred duties. Some of them have killed
" your Tribunes; others have perſecuted you with
" oppreſſions and mercileſs proſecutions; moſt of
" them have imbrued their hands in your blood: and
" they conſider their crimes as their ſtrength and
" great defence. The moſt criminal of them are
" thoſe, who for that very reaſon believe themſelves
" the moſt ſecure. Inſtead of their crimes keeping
" them, as they ought, under continual dread, your
" indolence has given them occaſion to make terror
" go over to your ſide. United by the ſame deſires,
" the ſame enmities, and the ſame fears, they con-
" tinue firmly attached together. But what is amity
" amongſt the good, ought to be called conſpiracy
" amongſt the vile. If you were as zealous for pre-
" ſerving your liberty, as they are for eſtabliſhing
" their ſway, the Commonwealth would certainly not
" be given up to be plundered as it is, and your
" favours would be the reward of true merit, not
" the prey of audacious guilt. Your anceſtors re-
" tired twice to Mount Aventine, to eſtabliſh their
" rights, and ſecure the dignity of their order: and
" will not you, by their example, ſpare no efforts
" for preſerving that liberty which they have tranſ-
" mitted down to you? You are the more obliged to
" this, as it is moſt ſhameful to loſe that we poſſeſs,
" than never to have poſſeſſed it at all.

" Somebody may aſk, what then I conceive it ne-
" ceſſary to do? It is, ſeverely to puniſh thoſe who
" have betrayed the Commonwealth, not by em-
" ploying violence againſt them; they well deſerve
" it, but methods of force do not ſuit the Roman
" People. There are tribunals and laws. Decree

A. R. 641. Ant. C. 111. "enquiries, in order to aſſure yourſelves of the truth "by certain proofs, and the teſtimony of Jugurtha "himſelf. If he has made his ſubmiſſion in earneſt, "he will obey your orders: if he deſpiſes them, you "will know from thence what you ought to think of "this pretended peace and ſubmiſſion, which will "only have ſerved to ſecure Jugurtha's impunity for "his crimes, to enrich conſiderably a ſmall number "of the Nobility, and, not to mention the infinite "evils which will be the effect of them, to cover the "Commonwealth with ſhame and reproach.

"And are you then not yet tired of their unjuſt "ſway? You have, during many years, ſeen king-"doms, provinces, laws, judgments, juſtice, war, "peace, in a word, all things human and divine, in "the hands, and at the mercy, of a ſmall number of "men; whilſt you, hitherto invincible in reſpect to "your enemies, Lords of all nations, (for that is the "idea we have of the Roman People) you, I ſay, "are contented to be ſuffered to protract an obſcure "and languiſhing life. For as to any thing of ſla-"very, which of you has dared to refuſe complying "with it?

"For the reſt, though I am convinced that it is "extremely ſhameful for a man of courage to ſuffer "injuries with impunity, I ſhould willingly conſent, "that you pardoned theſe vile wretches, becauſe "they are your fellow-citizens, if I did not foreſee "that your clemency would prove fatal to you. The "love of their crimes are too deeply rooted in them. "They will not be contented with impunity for the "paſt; and if you do not deprive them of the power "to do ill for the time to come, you will live in "eternal diſquiet, always between the two extremes, "either of being reduced to ſuffer a ſhameful ſla-"very, or of employing the force of arms in defence "of your liberty.

"For do not imagine, that you can ever rely "upon their fidelity, or that any ſincere and ſolid "union can ever ſubſiſt between them and you. They

"will

" will reign, and you will be free. They pretend A. R. 641. Ant. C. 111.
" to exerciſe all kinds of injuſtice, and you are de-
" termined to oppoſe them. In ſhort, they treat
" your allies as enemies, and your enemies as allies.
" Is it poſſible, whilſt your ſentiments are ſo oppo-
" ſite, that you ſhould live together in peace and a
" good underſtanding? I invite and exhort you there-
" fore not to ſuffer ſo deteſtable a fact as that which
" has lately been perpetrated in the affair of Numidia
" to paſs with impunity.

" The queſtion at preſent is not peculation nor
" extortion, certainly very great crimes, but become
" ſo common that they are now reckoned as nothing.
" The authority of the Senate, and the majeſty of
" the Roman People, have been proſtituted to an
" audacious enemy. The good, the honour of the
" State have been ſold for money in your army, and
" in the midſt of Rome itſelf. If a commiſſion be
" not appointed to enquire into this whole intrigue,
" if the guilty are not puniſhed, what have we left
" to chuſe, except to ſubmit to tyranny? For to
" commit whatever crimes one will, is to be a tyrant.
" It is not for the ſake of having the pleaſure of re-
" venge, you ought to deſire that your fellow-citi-
" zens may rather be found guilty than innocent:
" but you ought to fear, that whilſt you are for
" ſaving the bad, you ſhould deſtroy the good. And
" further, the oblivion of good actions is not of ſo
" dangerous a conſequence in a State, as the oblivion
" of bad ones. The man of probity, when he ſees
" himſelf neglected, becomes only leſs warm and
" active for good: but the villain from thence be-
" comes more bold and determinate for evil. No-
" thing is of greater importance than to check crimes
" by ſeverity. If violence and injuſtice were not
" committed, there would be no occaſion for any aid
" in order to live in peace."

Memmius, by often making the like repreſentations to the People, prevailed to have L. Caſſius, then Prætor, ſent into Numidia, with inſtructions to bring

Jugurtha

A.R. 641. Ant. C. 111. Jugurtha to Italy, under the guaranty of the Roman People, in order to his being interrogated; and that from his anſwers the truth of the facts, of which Scaurus and the others were ſuſpected, might be cleared up.

Whilſt theſe things paſſed at Rome, thoſe whom the Conſul had left to command the army in his abſence, imitated the conduct and example of their General, and committed all kinds of extortions and enormities. Some, corrupted by Jugurtha's gold, returned him his elephants: others gave him up the deſerters, for which they made him pay a great price: many inriched themſelves by plundering people with whom they were not at war; ſo * much had avarice, like a peſtilential diſeaſe, infected them all!

The decree of the People, which commiſſioned Caſſius to bring Jugurtha to Rome, had ſpread conſternation amongſt the Nobility. He ſoon arrived in Numidia, and found Jugurtha himſelf very much alarmed. He however perſuaded him, without much difficulty, to chuſe rather, as he had ſubmitted to the Romans, to make trial of their clemency, than to draw their arms upon him. He † promiſed that Prince entire ſecurity in his own private name; an aſſurance on which Jugurtha relied no leſs than on the publick faith. So great was the general opinion, ſays Salluſt, of Caſſius's probity. Let us add: and it is in this manner that even vice and guilt cannot help paying homage to virtue. The manner in which our hiſtorian ſpeaks of this Caſſius, gives us reaſon to believe he was the ſame perſon who was appointed to rehear the cauſe of the Veſtals, of which we have ſpoken above; though there is ſome difficulty in reſpect to theſe Prætorſhips ſo often reiterated.

Jugurtha arrived at Rome, not with the magnificence of a King, but in the mournful equipage of a

* Tanta vis avaritiæ in animos eorum, veluti tabes, invaſerat!

† Privatim præterea fidem ſuam interponit, quam ille non minorem quam publicam ducebat.

perſon

perſon accuſed. However intrepid he was in himſelf, and whatever proteſtations of ſervice his friends and protectors could make him, he could not help being anxious for the event of his affair. But having been ſo ſucceſsful to bring over the Tribune C. Bæbius by preſents of money, one who had impudence enough to ſupport him againſt the evidence of truth and juſtice, he was entirely at eaſe. A. R. 643. Ant. C. 111.

Memmius aſſembled the People, who trembled with indignation againſt the King. Some were for having him dragged to priſon: others demanded, that if he would not diſcover his accomplices, he ſhould be puniſhed according to the laws as an enemy to the State. The Tribune, far from giving in to the impetuous emotions of a People inflamed with rage, acted with great dignity, appeaſing their fury, checking their violence, and proteſting that he would never ſuffer the publick faith to be infringed.

When ſilence was made, and Jugurtha had been ordered to appear, the Tribune repeated the crimes committed by that Prince both at Rome and in Numidia, whether againſt his father by adoption, or his brothers; and, addreſſing his diſcourſe to him, he added: That though the Romans well knew his accomplices, they were deſirous to be again aſſured of them from his own mouth. That if he declared the truth, he might hope every thing from the faith and clemency of the Roman People: but if he concealed it, he would not ſave his accomplices, and would ruin himſelf. When Memmius had made an end of his diſcourſe, he ordered Jugurtha to reply. Bæbius, on the other hand, (the Tribune corrupted by Jugurtha, as we have ſaid above) forbade him to ſpeak. The People, extremely incenſed, teſtified by tumultuous cries, menacing looks and geſtures, and all other marks of rage, the impatience with which they ſuffered this proceeding of the Tribune. Bæbius audaciouſly perſiſted in his firſt conduct. Thus the People, inſulted by their own magiſtrate, and become the ſport of an impudence that had no example, ſaw the aſſembly

A. R. 641. Ant. C. 111. aſſembly break up without concluding any thing. This was a triumph for the King, Calpurnius, and all the reſt, who extremely apprehended the conſequence of this information. The boldneſs with which this ſucceſs had inſpired Jugurtha, ſoon manifeſted itſelf.

A. R. 642. Ant. C. 110.

M. Minucius Rufus.
Sp. Postumius Albinus.

There was at that time a Numidian Prince at Rome, called Maſſiva, the ſon of Guluſſa, and grandſon of Maſiniſſa, who had openly declared againſt Jugurtha in the quarrel of the Kings, and who, for that reaſon, after the taking of Cirta, and the murder of Adherbal, had fled, and quitted Africa. The Conſul Albinus, to whom the province of Numidia had fallen, and who for that reaſon deſired that the war there might break out again, adviſed that Prince to demand Jugurtha's kingdom. The latter was apprized of this, and cauſed Maſſiva to be aſſaſſinated in the midſt of Rome. The murderer was ſeized, and put into the hands of juſtice. He confeſſed every thing to the Conſul Albinus, and particularly, that it was Bomilcar, Jugurtha's near relation and confident, who had engaged him to commit this murder. As Bomilcar had come to Rome with Jugurtha, the law of nations ſeemed to refuge him againſt proſecutions. An accuſation was however laid againſt him, and it was believed that the laws of juſtice would take place on this occaſion againſt all other conſiderations. Fifty of the King's friends offered to be ſecurity for him, obliging themſelves to appear for him when it ſhould be neceſſary. Jugurtha, convicted as he was of ſo black an action, had however the boldneſs to keep his ground ſtill for ſome time, always aſſuring himſelf, that he ſhould extricate Bomilcar by the help of his friends. But he found, that the crying enormity of ſuch a murder was above all his credit, and all his gold and ſilver. He made Bomilcar fly, and ſoon followed

followed him; the Senate having ſignified to him, that he ſhould quit Italy immediately. He accordingly ſet out; at which time he ſaid ſeveral times, looking back upon the city, "* That Rome wanted only a purchaſer to ſell herſelf, and would ſoon periſh if ſuch an one could be found." A. R. 642. Ant. C. 110.

SECT. II.

Jugurtha eludes the attacks of the Conſul Albinus. Reflexion of Salluſt upon the preſent ſtate of Rome. Metellus is charged with the war of Numidia. He makes choice of Marius for one of his Lieutenants. On his arrival in Africa, his firſt care is to re-eſtabliſh diſcipline in the army. Jugurtha ſends Deputies to Metellus: who engages them to deliver up their maſter to him. Metellus marches his army into Numidia with great precaution. Jugurtha, finding himſelf amuſed, reſolves to defend himſelf by arms. Battle, in which that Prince is defeated. He raiſes a new army. Metellus ravages the whole flat country. Jugurtha ſurprizes part of the Roman army. Great joy at Rome for the victory gained over Jugurtha. New vigilance of the Conſul to prevent being ſurprized. Jugurtha continues his ſkirmiſhes. Metellus beſieges Zama. During the winter-quarters he endeavours to bring over Jugurtha's confidents. The King, betrayed by Bomilcar, conſents to ſurrender at diſcretion to the Romans. Deprived of every thing, he again takes up arms. Metellus is continued in the command. Jugurtha prepares for the war. The inhabitants of Vacca maſſacre the Roman garriſon. It is put to fire and ſword by Metellus. Origin of the enmity between Marius and Metellus. Beginnings of Marius. His birth. His education and character. He makes his firſt campaigns under Scipio Africanus, and acquires his eſteem. He is created a military Tribune; and afterwards Tribune of the People. He cauſes a law to paſs, notwithſtanding the oppoſition of the Senate. He

* Urbem venalem, & maturè perituram, ſi emptorem invenerit.

prevents a largeſs, which one of his Collegues is for giving the People. He ſuffers two repulſes in one day. He is choſen Prætor with great difficulty, and accuſed of caballing for that office. He marries Julia. His fortitude againſt pain. He is choſen Lieutenant General by Metellus. His conduct in that employment. Metellus refuſes him permiſſion to go to Rome to demand the Conſulſhip. Marius decries Metellus. Conſpiracy of Bomilcar againſt Jugurtha diſcovered. He is put to death. Extreme dread and trouble of Jugurtha. Metellus grants Marius his diſcharge. Marius is elected Conſul. The war againſt Jugurtha is conſided to his care. Cicero's opinion of the means uſed by Marius for attaining the Conſulſhip. Jugurtha's perplexities. Battle, in which he is defeated. He retires to Thala, and quits it ſoon after. The place is beſieged, and taken by the Romans. Jugurtha arms the Gætuli. He engages Bocchus to declare againſt the Romans. The two Kings march towards Cirta. Metellus repairs thither alſo. Grief of Metellus when he receives advice that Marius is appointed to ſucceed him. He holds a conference with Bocchus by Deputies.

A. R. 642. Ant. C. 110. THE war is renewed again. The Conſul Albinus, who was to return to Rome to preſide at the election of magiſtrates for the year enſuing, haſtened his departure for Africa, in order to terminate the war as ſoon as poſſible, either by arms, a treaty, or ſome other way. But Jugurtha, on his ſide, expecting every thing by gaining time, ſought only how to protract it. Sometimes he promiſed to ſurrender, and then profeſſed diſtruſt. Sometimes he fled before the Romans, and at others, not to diſcourage his army, harraſſed them vigorouſly. Thus between delays, and the ſlow alternative of negotiation and war, he amuſed the Conſul, and eluded all his efforts. Whether through negligence, or connivance, for he was ſuſpected of it, Albinus ſucceeded very ill.

The

The approach of the time for the elections obliging him to return to Rome, he left his brother Aulus to command the army in quality of Proprætor. Jugurtha had much more advantage from him than from the Conſul. He had no merit, and his ſelf-ſufficiency made him unconſcious of his incapacity. The blind deſire of enriching himſelf induced him to form the ſiege of Sutul in the midſt of winter, a very ſtrong place, ſituated upon the brow of a ſteep mountain, and ſurrounded with a marſh, in which the King kept part of his treaſures. The diſſembled fear of that Prince, who ſometimes cauſed propoſals of accommodation to be made to him, and ſometimes fled before him, ſtill more increaſed his blindneſs. Jugurtha, long accuſtomed to artifice and ſtratagem, acted his part ſo well, that he induced him to raiſe the ſiege of Suthul, in order to follow him into a remote region, where he gave him hopes of tranſacting in ſecret with him. And, what is almoſt incredible, he brought over by his emiſſaries not only part of the Proprætor's auxiliary troops, but even ſome of the Romans, who promiſed to ſerve him on occaſion. Accordingly, upon Jugurtha's attacking the camp of Aulus in the night, ſome companies of Ligurians and Thracians went over to his ſide: and a Roman officer, the firſt Captain [Primipilus] of a legion, delivered up to the enemy the part of the intrenchment where he commanded. The camp was taken and plundered: and all that Aulus could do, was to retire with part of his troops to an adjacent eminence. The next day it was neceſſary to come to a compoſition. Jugurtha, not contented with having overcome, was alſo for inſulting; and in a conference which he had with the Proprætor, with feigned moderation, he told him, that though he had him incloſed on all ſides, and it was in his power to deſtroy both himſelf and his whole army, either by famine or the ſword; however, reflecting that the ſucceſs of arms was precarious and tranſitory, and human things ſubject to many viciſſitudes, if Aulus would make peace, he would diſmiſs A. R. 642. Ant. C. 110.

A. R. 642. Ant. C. 110. them all with their lives ſaved, after having made them paſs under the yoke, and upon condition that they ſhould quit Numidia in the ſpace of ten days. However hard and ignominious theſe conditions were, the fear of death, which ſeemed inevitable, made him accept them.

When this news arrived in Rome, it occaſioned great conſternation. Some lamented the diſgrace of the Roman name by ſo ſhameful a peace; and others even apprehended the conſequences of the advantages gained by the Numidian. All in general, and eſpecially the military perſons, cenſured Aulus with contempt and indignation, for having choſe rather to owe his ſafety to cowardice than to courage, whilſt he had arms in his hands. The Conſul Albinus, apprehending that he ſhould be made accountable for his brother's conduct, propoſed to the Senate to deliberate upon the treaty which had juſt been concluded. It was declared void, as having been made without the authority of the Senate and People. The Conſul, not having it in his power to carry the troops he had levied along with him, becauſe the Tribunes oppoſed it, ſet out however for Africa. His army, in execution of the treaty, had quitted Numidia. He found it in ſuch diſorder and irregularity, occaſioned by the licentiouſneſs that prevailed in it, that he was afraid to make it march againſt Jugurtha, though he much deſired it, to obliterate the diſgrace of the treaty concluded by his brothers.

At Rome, however, the Tribune Mamilius Limetanus propoſed to the people the decreeing a commiſſion, for informing againſt thoſe who had emboldened Jugurtha to deſpiſe the orders of the Senate; who had received money from him whilſt Ambaſſadors, or in the command of armies; who had reſtored him his elephants and deſerters; and laſtly, who had made conventions with the enemy concerning war and peace. Many, who were under apprehenſions for themſelves or their friends, underhand and ſecretly oppoſed this law; for to have done it openly, would have been to hav

have confeſſed themſelves guilty. But the People ſhewed an extraordinary conſtancy upon this occaſion; leſs through zeal and affection for the publick good, than hatred for the Nobility, who dreaded this law: ſo violent was then the diſſenſion between the two orders. It was therefore decreed, that three Commiſſioners ſhould be appointed to preſide in preparing the proceedings againſt all ſuch as ſhould be within the caſes mentioned in the law, and to bring them to trial. A. R. 642. Ant. C. 110.

Scaurus had ſufficient credit to get himſelf admitted into the number of theſe Commiſſioners, though he ought rather to have appeared as one of the accuſed, than as one of the judges: but the affair was however carried on with no leſs vigour. Four perſons of Conſular dignity were condemned; Calpurnius, Albinus, Opimius, and C. Cato. Neither Salluſt, nor any other author, tells us what part the laſt had acted in the intrigues of Jugurtha. We have already ſeen him condemned on account of extortions: but, without making much intereſt, only ſlight penalties had been laid upon him. On this occaſion he was baniſhed, as well as the three others firſt named. There were alſo many others condemned of a leſs illuſtrious rank, but however perſons of diſtinction; and in particular C. Galba, who was the firſt citizen, inveſted with a publick prieſthood, who had been found guilty on a criminal accuſation. Theſe were a kind of reprizals taken of the Nobility by the order of the People, who from the death of the Gracchi had not been able to ſurmount oppreſſion. It is no wonder that Cicero exclaims againſt theſe condemnations, and treats them as iniquitous; as Salluſt, who always favours the party of the People againſt the Nobility, agrees, that popular rumours, and the caprice of the multitude, had a ſhare in the judgments given upon this occaſion. This is not to infer, that all who were condemned were innocent. He has himſelf particularized the bad dealings of ſome. But in general it was the ſpirit of party, that directed the Cic. Brut. 127, 128.

A. R. 642. Ant. C. 110. judges, more than the love of juſtice. The reader may turn back to the end of the hiſtory of the Gracchi, for what we have obſerved concerning the condemnation of Opimius.

This event gives Salluſt occaſion to make a digreſſion upon the origin of the furious animoſities which tore the city, and at length became bloody wars. We muſt firſt obſerve, as that hiſtorian has done elſewhere, that the civil diſſenſions are as ancient in Rome as liberty. But beſides that the quarrels of ancient times always terminated with moderation and concord, there had been a very long calm, in which the two orders perfectly concurred in their endeavours for the publick good. That time, which may well be called the Golden Age of the Roman Commonwealth, continued from the ſecond Punic war to the taking of Carthage. The factions then not only began to revive, but became more violent than ever. It is this period Salluſt has in view in the reflexion, which I proceed to give the reader.

"It is," ſays he, "only ſome years ſince furious diviſions aroſe between the Senate and People, and factions carried to the laſt exceſſes on both ſides: and theſe evils have no other origin than the leiſure of peace, and the abundance of all that men conſider as their greateſt good. Before the deſtruction of Carthage, the two bodies of the State, treating each other without violence and paſſion, were in good intelligence with reſpect to the management of affairs. Neither the love of glory, nor the deſire of rule, armed the citizens againſt each other. The fear of the enemy kept every thing within bounds. When Rome was no longer under that check, licentiouſneſs and pride, the uſual effects of proſperity, were introduced into the city. Thus the tranquility and leiſure which adverſity had made her deſire with ſo much ardor, when ſhe had obtained it, became more fatal to her than all the calamities of war. The Nobility on one ſide made their preheminence, and the People on the other their liberty, ſerve as pretexts fo

for their unjuſt pretenſions. So that whilſt each aimed at the maſtery, and was for engroſſing it all to itſelf, the Commonwealth, ſituated in a manner between the two factions, was torn in pieces by that diviſion. For the reſt, the party of the Nobility continuing always united, had moſt ſtrength: whereas that of the People, divided into an infinite number of heads, and not having any common tie, was much leſs powerful. Both in war and peace, every thing paſſed through the hands of a ſmall number of the Nobility. They had the diſpoſal of the publick revenues, of the governments of provinces, the great offices, honourable rewards and triumphs. Whilſt the Generals divided the ſpoils taken from the enemy with a few perſons, the People were depreſſed under the fatigues of military ſervice, and the miſeries of poverty; and it often happened, that the fathers or children of ſoldiers, if they had the misfortune to live in the neighbourhood of the Great, were driven out of their houſes, and deprived of the little lands they had. Thus avidity, continually increaſing with power, knew neither bounds nor meaſure. Every thing became the prey of the ſtrongeſt. The Nobility violated the moſt ſacred rules, and ſacrificed all things to the deſire of gratifying themſelves, till by their exceſſes they drew upon them avengers out of their own boſom." A. R. 642. Ant. C. 110.

By this Salluſt means the Gracchi, of whoſe views he ſpeaks with great eſteem: and after having related their unhappy end, he adds: "We muſt own, that the deſire of getting the better of their adverſaries carried them too far, and that they did not act with moderation enough. For * it is better to be worſted with the right, than to overcome injuſtice by bad means. The Nobility, on their ſide, tyrannically abuſing their victory over the Gracchi, either put to the ſword, or baniſhed, a great number of the citizens; and by thoſe violences made themſelves more

* Sed bona vinci ſatius eſt, quam mala more injuriam vincere.

A. R. 642. Ant. C. 110. dreaded, than they augmented their power. The abſolutely reducing enemies at any price whatſoever, and after having ſo reduced them, exerciſing the utmoſt vengeance poſſible upon them, is what occaſions the ruin of the moſt powerful States."

It is remarkable that hiſtorians, as if in concert, aſcribe the ruin of manners and diſcipline in Rome to its too great power, the increaſe of its riches, and to luxury, the inevitable conſequence of them. They fix the epocha of this fatal change at the deſtruction of Carthage. I have repeated in the hiſtory of the third Punic war a paſſage from Velleius Paterculus, entirely conformable to what Salluſt obſerves here. I return now to my ſubject.

A. R. 643. Ant. C. 109.

Q. Cæcilius Metellus.
M. Junius Silanus.

People * began to conceive great hopes of the war of Numidia, when the conduct of it was given to Metellus. That Conſul had all the qualities that can render a man eſtimable: but particularly a perfect, and abſolutely incorruptible diſintereſtedneſs; the moſt eſſential quality at that time againſt ſuch an enemy as Jugurtha, who hitherto had made more uſe of money than the ſword for conquering. The choice Metellus made of two excellent Lieutenant-Generals, Marius and Rutilius, confirmed the idea conceived in his favour; and the happy preſages People formed to themſelves of his ſucceſs. And indeed, the beſt concerted deſigns often miſcarry through the bad choice of officers, when intrigue and cabal directs it. We ſhall ſoon give ſome particulars of what relates to Marius. We are now going to follow the thread of our hiſtory.

* In Numidiam proficiſcitur, magna ſpe civium, cùm propter artes bonas, tum maximè, quod adverſum divitias invictum animum gerebat & avaritiâ magiſtratuum ante id tempus in Numidia noſtræ opes contuſæ, hoſtiumque auctæ erant.

Whe

When Metellus arrived in Africa, he found the army in a deplorable ſtate, plunged in idleneſs, little enured to war, fearing both danger and labour, more valiant in word than action, dreadful to the allies, contemptible to the enemy; in a word, without either diſcipline, rules, or obedience. This diſpoſition of the army gave the new General more pain than the number of the troops did confidence. Though he knew that Rome impatiently expected the news of what paſſed in Africa, he however reſolved not to begin the operations of the war, till he had reformed the army according to the rules of the ancient diſcipline. He * acted in this like a man of ſuperior genius, obſerving a wiſe medium between exceſſive rigour, and popular indulgence. A. R. 643. Ant. C. 109.

The firſt orders which he gave, were in reſpect to retrench whatever conduced to intemperance and effeminacy. He forbade his ſoldiers to have either ſlaves or carriage-horſes in the camp or upon a march; ſervants to follow it; and all perſons whatſoever to ſell either † bread or meat ready dreſt within the camp. As to every thing elſe, he reduced it, as much as poſſible, to the ſimply neceſſary. He did not keep his troops long in one place. He made them countermarch, and incamp and decamp continually. He obliged them to intrench themſelves with as much care as if they had always been in view of the enemy. He often relieved the guards, which he viſited in perſon with his principal officers, to keep every body in their duty. In marching, he was ſeen every where, in the front, the centre, the rear; taking care that the ſoldiers ſhould keep their ranks, march always under their colours, and carry both their arms and proviſions. ‡ By this means, he ſoon re-eſtabliſhed

* Sed in ea difficultate Metellum non minùs, quàm in rebus hoſtilibus, magnum & ſapientem virum fuiſſe comperior: tantâ imperantia inter ambitionem ſævitiamque moderatum.

† Every ſoldier carried corn for twelve or fifteen days, and ground and made bread of it himſelf.

‡ Ita prohibendo à delictis magis, quàm vindicando exercitum brevi confirmavit.

diſcipline,

A. R. 643. Ant. G. 109. diſcipline, making uſe of an admirable principle; rather to prevent, than puniſh, faults.

When Jugurtha was informed how Metellus behaved, he was exceedingly anxious. Beſides which, he had been told from Rome, that preſents would be of no effect with that General. That reſource failing, which had hitherto been of ſuch ſervice to him, it was neceſſary to try other methods. He ſent Deputies to Metellus, who aſked no other conditions but life for that Prince and his children, adding, that for the reſt, he ſubmitted entirely to the Roman People. The Conſul had already experienced that there was no truſt to be repoſed in the Numidians, who were naturally capricious, inconſtant, and treacherous. He thought, that with a deceitful perfidious Prince, it was allowable to uſe fraud and ſtratagem. He ſounded his Deputies ſeparately, and finding them all inclined to do what he deſired, he propoſed, and effectually perſuaded them, to deliver up Jugurtha to him alive or dead. This conduct was little generous, and ſhews that in the times of which we are ſpeaking, the moſt deſerving perſons had ſome tincture of the corruption of manners. Metellus, the better to cover his deſign, gave the Deputies a favourable anſwer in publick, and room to amuſe their maſter with good hopes.

Some days after he ſet out from the Roman province, that is, the part of Africa ſubject to the Romans, and marched his army into Numidia. He found every thing there in the ſame ſtate as if there had been no war; no houſes abandoned, the flocks and herds with their keepers, the huſbandmen in the midſt of their fields, and the Prince's officers coming from the towns and villages to offer corn and proviſions, and to do every thing they ſhould be commanded. Metellus, notwithſtanding, ſpared nothing of his vigilance. He marched in the ſame good order, and was no leſs upon his guard, than if the enemy were in view. In a word, he took all poſſible precautions, knowing that theſe appearances of peace

might

might cover ſtratagems and ambuſcades. And indeed Jugurtha was of ſuch ability and art, that it was hard to ſay, whether he was more to be truſted at a diſtance, than when near; when he made war openly, or ſeemed to deſire peace. A. R. 643. Ant. C. 109.

Metellus continued his march, and arrived near a city called Vacca. It was the greateſt place of trade in all Numidia. He put a garriſon into it, either to take the advantage of the place, or to know, by that ſtep, the real diſpoſition of Jugurtha.

However, new envoys came perpetually from that Prince, who earneſtly ſollicited peace, and, as before, offered to ſurrender every thing to the Romans; provided they would grant himſelf and his children their lives. The Conſul received them as he had the firſt; that is, perſuading them to betray their maſter; after which, he ſent them back to Jugurtha, without either promiſing or refuſing him peace: and in the intervals, he expected the ſucceſs of what he had negotiated with theſe envoys.

The artificial Jugurtha perceived that his own example was followed againſt himſelf, and that he was attacked with his own arms, that is, by ſtratagem and deceit; as in reality Metellus's words did not agree with his actions; and at the ſame time he was given hopes of peace, a cruel war was made againſt him. He therefore determined, as he had no other reſource, to defend himſelf with arms.

He aſſembled numerous forces, and obſerving the march of the Romans, poſted himſelf ſo as to be able to attack them with advantage. When they came to a battle, the Numidians had the ſuperiority at firſt from the ſituation of the place, where they lay in ambuſh; but the Romans ſoon reſumed courage. The King and the Conſul ſhewed all the bravery and ability that could be expected from two of the greateſt Captains of thoſe times. Metellus had the ſuperior valour of the ſoldiers on his ſide, but the diſadvantage of the place. Every thing favoured Jugurtha, except the nature of his troops, which were much inferior

A. R. 643. Ant. C. 109. ferior to the Roman legions. At length valour prevailed, and the Conſul remained maſter of the field of battle. At the ſame time, and at a ſmall diſtance from thence, there was another action, between Bomilcar and Rutilius, and with the ſame ſucceſs; ſo that the Romans were entirely victorious.

Metellus encamped four days upon the place where he had given battle. He took care of the wounded, honoured thoſe with gifts who had diſtinguiſhed themſelves in the action, highly praiſed the whole army, and exhorted the troops to finiſh the campaign with the ſame courage; adding, that they had done enough in reſpect to victory, and that all that remained was to gather the ſpoils, which were the juſt reward of it.

However, he ſent out ſpies to know where Jugurtha was, what his deſigns might be, what remainder of troops he had, and what aſpect they had after his defeat. They brought advice, that he was retired into places covered with woods, and of difficult acceſs; and that he was raiſing an army there more numerous than the firſt, but little enured to war, and compoſed of huſbandmen and ſhepherds. It is no wonder that he was reduced to make new levies. Amongſt the Numidians only thoſe who formed the King's guards followed him in the defeat. All the reſt diſperſed as they thought fit, without being deemed criminal; for that was the cuſtom of the nation.

When Metellus ſaw that he was upon the point of being obliged to begin a war again, in which he would have enemies to deal with, who always took advantages from the knowledge they had of the country, and who even, when defeated, loſt leſs than the victors; he conceived that it was neceſſary for him to change his plan, and not to come to a battle. But he entered the richeſt provinces of Numidia, ravaged the whole flat country, took and burnt abundance of towns and caſtles little fortified and without garriſons, put all to the ſword that were capable of bearing

bearing arms; and for the reſt he abandoned every thing to be plundered by the ſoldiers. The terror which he ſpread by theſe cruel hoſtilities, occaſioned hoſtages to be ſent him from all parts. Corn and munitions of all kinds were ſent him in abundance, according to his order, and Roman garriſons were received every where. A. R. 643. Ant. C. 109.

Jugurtha, more terrified by this new manner of making war, than the defeat which had preceded it, however did not loſe courage, and had recourſe to his uſual ſtratagems. He left the greateſt part of his army in his camp, and with the flower of his cavalry, followed Metellus in the rear. The better to ſurprize him, he marched in the night, and through byways; ſo that whilſt the Romans believed him far diſtant, and were diſperſed in great numbers about the country, he fell ſuddenly upon them with great vigour. Moſt of them were unarmed. He killed many, and took a great number of priſoners. Then, with as much circumſpection as valour, he retreated to the neighbouring hills with his Numidians, according to the deſign he had formed, and the orders he had given before the battle.

Whilſt all this paſſed, the news of the Conſul's firſt ſucceſs arrived at Rome. It was heard with great joy, that Metellus had reinſtated the ancient diſcipline in his army; that he had gained a victory in a diſadvantageous poſt; that he was in poſſeſſion of the enemy's country; and that Jugurtha, ſo elate before from the defeat of Aulus, now ſaw himſelf reduced to ſeek his ſafety by flight. It was decreed by the Senate that ſolemn thankſgivings ſhould be made to the gods, and the whole city univerſally praiſed the merit of Metellus.

This made the Conſul more intent upon his duty. He knew that glory generates envy. The more reputation he acquired, the more he laboured to ſuſtain it. He made haſte to terminate the war; but however took no falſe meaſures through impatience, and gave the enemy no room to take advantages. Since Jugurtha's

A. R. 643. Ant. C. 109. Jugurtha's laſt ſurprize, he did not ſuffer his troops to ſtraggle. When it was neceſſary to bring in forage or proviſions, thoſe who were ſent for them, were always ſupported by a good body of infantry with all the cavalry. He had divided his forces: he commanded one part of them himſelf, and gave the other to Marius. Thus there were always two bodies of troops, at a ſmall diſtance from each other. They joined when it was neceſſary to give battle; but without that, they kept different routes, in order to carry terror and deſolation into a greater extent of country. For the reſt, they burnt every thing in the country, and ſcarce gave themſelves the trouble to plunder it.

Jugurtha followed the Romans upon the hills, and fought times and places for attacking them with advantage. He laid waſte the country wherever he foreſaw the enemy were to paſs. He burnt the forage, and ſpoiled the water of the ſprings, which are very rare in theſe regions. He ſometimes incommoded Metellus, and ſometimes Marius. He charged their rear-guards from time to time, and immediately after regained his hills. He made feints of ſometimes attacking one body, and then the other. Thus, without hazarding a battle in form, he kept them in continual alarm, inceſſantly harraſſing them, and breaking all their meaſures.

The Conſul finding himſelf fatigued by the ſtratagems of the Numidian, was obliged to think of coming again to a battle. But Jugurtha induſtriouſly avoided it. To force him to it, Metellus reſolved to attack Zama, a very ſtrong place, ſituated in the weſtern part of Numidia; conceiving that Jugurtha would at any rate prevent the taking of ſo important a place, which might bring on an action. That Prince, having diſcovered the Conſul's deſign by deſerters, marched with ſo much diligence, that he was there before him. He went to Zama to exhort the inhabitants to make a good defence; and to reinforce their garriſon, he left them all the Roman deſerters in his

his army, entirely relying on their fidelity, becauſe they could expect no quarter from Metellus. Beſides this, he promiſed the people of that great city, that, at the proper time, he would not fail to come to their aid with powerful forces. A. R. 643. Ant. C. 109.

After having thus given his orders, he retired into places out of the common way, watching the motions of the enemy. He was informed, that Marius was detached from the groſs of the army with ſome cohorts to fetch in corn, and convoy it to the camp. He fell ſuddenly upon him. But the valour of the Roman troops, and good conduct of their commander, prevented confuſion; and Jugurtha miſſed his aim.

Marius arrived before Zama. It was a city ſituated in a plain, leſs fortified by nature than art, but well furniſhed with all things neceſſary for ſuſtaining a ſiege. Metellus inveſted it, and having poſted each of his Lieutenant Generals, he aſſaulted the place. The Roman army, according to cuſtom, began by raiſing great cries on a ſudden, and on all ſides. The Numidians were not daunted by them. They ſeemed prepared to make a good defence. The attack was begun. The Romans diſcharged abundance of darts and ſtones. Sometimes they endeavoured to ſap the wall, and ſometimes to ſcale it. They were eager to join the enemy, and come to blows with them. The beſieged, on their ſide, ſhowered great pieces of ſtone, beams, javelins, and melted pitch mixed with ſulphur, upon them. Such of the Romans, who kept a diſtance through fear, were not ſafe from wounds. Darts either diſcharged with the hand, or by machines of war, reached them every where. * Thus the cowardly ſhared the danger with the moſt valiant, but not the glory.

Whilſt they were fighting in this manner around the walls of the city, Jugurtha, well attended, came ſuddenly on to attack the Roman camp, where no-

* Parique periculo, ſed fama impari, boni atque ignavi erant.

thing

A. R. 643. Ant. C. 109. thing was leſs expected, and having puſhed the guard, he forced the gates. The troops were ſoon in diſorder. Many were killed and wounded. The greateſt part fled. Metellus, who was aſſaulting the place with ardour, hearing the noiſe of fighting behind him, immediately faced about, and ſaw the troops flying towards him. He inſtantly detached all the cavalry to the camp, and made Marius follow with part of the Latine infantry. Jugurtha, on their approach, retired.

The next day, Metellus, before he gave a new aſſault to the place, poſted all his horſe around the lines: he then advanced to Zama. Jugurtha returned to the charge. But as preparations had been made to give him a good reception, his attack did not interrupt the aſſault which the Romans were giving the place, who fought at the ſame time on both ſides with vigour. The beſieged, from the top of the walls, ſaw all that paſſed round the lines, and with anxiety watched the advantages and diſadvantages of Jugurtha. Marius, who remarked this from the ſide where he commanded, deſiring entirely to turn their attention to the object on which it already was partly fixed, for ſome time abated the efforts of his ſoldiers, as if deſpairing of ſucceſs. Then on a ſudden he cauſed the ladders to be planted, and attacked the walls with more vigour than ever. The Romans had almoſt carried the parapet, when the inhabitants poured a ſtorm of ſtones, fire, and darts upon them. This was not all. Some of the ladders being broke, thoſe who were on them were daſhed to pieces in their fall, and the reſt got off as well as they could, moſt of them wounded. Night put an end to this aſſault, and alſo obliged Jugurtha to retire.

Metellus conſidering that the ſummer drew towards an end; that the city ſeemed ſtill in a condition to defend itſelf a great while; and that Jugurtha fought only by ſkirmiſhes and ambuſcades; reſolved to raiſe the ſiege. He put garriſons into the cities that had revolted from the King; after which he went

went into winter-quarters in the Roman province, upon the frontier of Numidia. A. R. 643. Ant. C. 109.

He did not devote this interval to idleneſs and pleaſures, as other Generals often did: and keeping Jugurtha always in view, he formed new deſigns for effectually putting an end to the war. He would have been highly praiſe-worthy if he had employed only honourable methods. But we have ſeen that he was not ſcrupulous in that point. Every means for ſucceeding was juſt to him. He therefore propoſed to ſurprize an enemy he could not reduce by force; and in order to that, to bring over thoſe in whom he placed moſt confidence, and to engage them to betray him. Bomilcar, who was the intimate confident of the King, ſeemed to Metellus more capable of ſerving him in his deſign than any other. He cauſed propoſals to be made to him: he had even a ſecret interview with him: and as that Numidian had actually incurred the juſtice of Rome, been proſecuted as a criminal, as we have ſaid above, for the murder of Maſſiva, and had eſcaped by flight, the Conſul promiſed him, that if he would deliver up Jugurtha alive or dead, the Senate would not only pardon his crime, but aſſure to him the poſſeſſion of his whole eſtate. Bomilcar ſuffered himſelf to be eaſily perſuaded; whether his genius was naturally inclined to perfidy, or that he feared, on the concluding of a peace, his puniſhment would be one of the conditions.

He therefore did not let ſlip the firſt occaſion that offered. One day, perceiving Jugurtha anxious about the preſent ſtate of his affairs, he accoſted him, and with tears in his eyes, conjured him, "to take pity on himſelf, his children, and the whole Numidian nation, who had ſerved him ſo well. He repreſented to him, that the events of all their battles had been fatal to them; that the country was laid waſte; that great numbers had been killed and taken priſoners; and that the whole kingdom was either impoveriſhed or ruined. That he had made ſufficient proof of the

A. R. 643. Ant. C. 109. valour of his people, and ſufficiently tried fortune. That, in a word, it was to be feared, whilſt he was deliberating, that the Numidians would chuſe for themſelves, and make an accommodation."

Jugurtha heſitated no longer. He diſpatched Deputies to declare that the King made an entire ſubmiſſion, and reſigned without condition, both himſelf and his kingdom to the faith and diſcretion of Metellus. The Conſul immediately aſſembled all the perſons of the order of the Senators who were then with him: and in the council, which he held according to cuſtom, with them, and ſome others, whoſe preſence he thought proper at this deliberation, it was decreed, that Jugurtha ſhould pay two hundred thouſand pounds weight of ſilver, about five hundred thouſand pounds ſterling; that he ſhould deliver up all his elephants, with a certain quantity of arms and horſes. When this was executed, Metellus again ordered him to ſend him all the deſerters in chains. Moſt of them were actually delivered up: the reſt, as ſoon as they were informed that Jugurtha intended to ſurrender himſelf, had eſcaped to King Bocchus, in Mauritania. They had done wiſely. For Metellus roſe upon the rigour uſually exerciſed againſt deſerters by the Romans. Many of them, as Appian tells us, he cauſed to be fixed in the ground to their middles, and in that condition to ſerve as marks for arrows and darts, and then to have fires made around them whilſt they were ſtill alive.

When Jugurtha had been deprived in this manner of money, men, and arms, the Conſul ſent to him to come in perſon and receive the orders which were to be given him. At that moment, all the horror of his paſt crimes preſenting itſelf to his imagination, he began to fear, that the Romans would inflict the puniſhment upon him he deſerved. Full of theſe ſad thoughts, he was ſeized with terrible agitations and confuſion of mind. There was no retreat from the diſtreſs to which he ſaw himſelf reduced. To reſume arms after all the blows he had ſuſtained, and in the de-

fenceleſs

fenceleſs condition he was in, ſeemed of all things the leaſt practicable. The thoughts alone of the wretched ſtate into which he was about to fall, from the throne into ſlavery, made him tremble. After having paſſed ſome days in theſe cruel uncertainties, he at length determined to renew the war. A. R. 643. Ant. C. 109.

SERVILIUS SULPICIUS GALBA. A. R. 644.
M. AURELIUS SCAURUS. Ant. C. 108.

Metellus was continued in the command of the army in Numidia, with the character of Proconſul.

Jugurtha prepared for war with great attention, without loſing a moment's time. He aſſembled his troops; endeavoured, either by hope or fear, to bring back the places, which had quitted his party, to their duty; put thoſe which had not revolted, into a condition of defence; cauſed the old arms to be mended, and new to be bought; ſollicited the ſlaves of the Romans, and even the ſoldiers, with money; and ſpared nothing that could conduce to a good defence.

We have ſaid that Metellus, in the beginning of the preceding campaign, put a garriſon into Vacca. The principal inhabitants, at the King's earneſt requeſt, and beſides having always been well diſpoſed in regard to him, formed a conſpiracy againſt the Romans. It broke out upon the day of a ſolemn feſtival, when all the city were making merry, and the burghers had invited all the officers of the garriſon to entertainments. The maſſacre was general. All the Roman officers and ſoldiers in the place were butchered. Only Turpilius, the Governor of the city, found means to eſcape.

The news of this maſſacre extremely afflicted Metellus. He ſet out at ſun-ſet with the legion that was with him in winter-quarters, and all his Numidian cavalry. The deſire of revenging ſo cruel a treachery, and the hopes of plunder, made them ſupport the fatigue of a forced march with great ſpirit. They

A. R. 644. Ant. C. 108. arrived about three in the morning before the city, which expected nothing ſo little. The puniſhment in a manner trod upon the heels of the crime. Every thing was put to fire and ſword. The place, which was very rich, was abandoned to the ſoldiers. Turpilius was then cited before the council of war, as ſuſpected of treaſon, and holding intelligence with the inhabitants of Vacca, who had ſpared him. The caſe was not in his favour; and he defended himſelf ill. Accordingly, though he was the particular friend of Metellus, who did his utmoſt to ſave him, he was condemned to be whipt with rods, and to loſe his head.

It was on this occaſion, that the miſunderſtanding between Marius and Metellus broke out. Marius was violent for the condemnation of Turpilius only becauſe the General protected him. And ſome time after, the innocence of that unfortunate officer appearing, when every body declared the ſhare they had in the Proconſul's grief, Marius took a malicious pleaſure in inſulting him, and boaſting of having drawn down the wrath of the gods, avengers of the violated rights of hoſpitality, upon the head of Metellus.

Plut. in Mar. The * origin of this enmity was of a prior date. Marius, who was conſcious of his ſuperior merit, with which he united unbounded ambition, when Metellus had choſe him one of his Lieutenant-Generals, did not conſider himſelf as obliged to the Conſul for an important employment, but as placed by fortune on a great theatre, where his talents might ſhine forth, and raiſe him to whatever was higheſt and inſtead of labouring, like the other officers, for the General's glory, he took no pains but for his own endeavouring to acquire eſteem, and to turn the eyes of the army upon himſelf, in order thereby to raiſe himſelf to the Conſulſhip, which was the height of his wiſhes. I believe it will not be diſagreeable to

* This account of the beginnings of Marius, is the editor's.

the reader, if, after Plutarch, I give in this place a brief account of the firſt years, and riſe of a man, who is going to have a great and illuſtrious part in our hiſtory, and is equally famous for his virtues and vices, for proſperity and adverſity. A. R. 644. Ant. C. 108.

Marius was, as every body knows, a ſoldier of fortune, born * of very indigent and obſcure parents. The place of his birth was Arpinum, or ſome village in the territory of that city. He paſſes in hiſtory for a native of Arpinum; and Cicero, who was of the ſame town, in more than one place, takes great honour to himſelf from ſuch a countryman, and boaſts the glory of his native city, which had given two deliverers to the Commonwealth, Marius and himſelf. Cic. de leg. ii. 6.

The education of Marius ſuited the fortune of his parents. They worked for their living, as he alſo † did, during the firſt years of his youth, as a day-labourer in huſbandry. It is eaſy to judge from thence, that he had no tincture of the Greek letters: and afterwards, when he was ſettled at Rome, he affected to deſpiſe what he did not underſtand. Engroſſed by the ambition of power, he even thought it ridiculous to ſtudy the arts and ſciences of a people who were actually in ſubjection to a foreign yoke. He had however, ſays Plutarch, great need to ſacrifice to the Grecian graces and muſes: and if he had learnt by the ſtudy of philoſophy and the polite arts, to ſoften the ferocity of his character, and to moderate his paſſions, he would not have diſhonoured the moſt glorious military exploits, and the moſt important ſervices rendered his country, by perpetrating cruelties and barbarities, that give horror only to hear them named. But even in the moſt ſhining and moſt glorious times of his life, a kind of ruſticity and ferocity

* Velleius is the only one I know, that makes Marius deſcend from Roman Knights (l. ii. c. 22.) Nor does he agree with himſelf; for elſewhere (l. ii. c. 128.) he gives him an obſcure and unknown origin.

† Arpinas alius Volſcorum in monte ſolebat
Poſcere mercedes, alieno laſſus aratro. JUV. Sat. 8.

A. R. 644. Ant. C. 108. was always remarkable in him. He had all the good as well as all the bad of a ruſtick education. His manners were always rude and groſs: but he* was ſober, auſtere, inured to labour and fatigue, deſpiſing riches and pleaſures, and only greedy of glory. As to the probity aſcribed to him by Salluſt, he could only have deſerved that praiſe by the regularity of his manners. For he never knew either integrity, ſincerity, or gratitude, when the purſuit of his views were in queſtion. He was a man that had but one paſſion, the deſire of aggrandizing himſelf, to which he never made any ſcruple to ſacrifice every thing.

It was this ambition, that made him quit the plough, to take up the profeſſion of arms, by which he was in hopes of raiſing himſelf. He had the good fortune to be formed by a great maſter. He made his firſt campaigns at the ſiege of Numantia, under Scipio Africanus. That great man, who ſpared no pains to know his ſoldiers, and had the greateſt penetration with the moſt unerring judgment, diſtinguiſhed young Marius from the reſt. He obſerved, that he gave more readily than any one into all the reformations he made in his camp, and the re-eſtabliſhment of diſcipline. He was a witneſs of his bravery on an occaſion wherein Marius killed an enemy in his ſight. In conſequence, he attached him to himſelf by praiſes and honourable rewards: and it is even ſaid, that Scipio being one day at ſupper with ſeveral officers, the diſcourſe happening to turn upon Generals, one of the company, either to make his court to him, or in ſimple ſincerity aſked him, who was the perſon capable of ſucceeding him? Scipio, ſtriking Marius ſoftly on the ſhoulder, ſaid, Perhaps this will be the man. If this fact be true, it undoubtedly proves, as Plutarch obſerves, a great ſuperiority of genius, both in him who ſo early appeared ſo great, and in the perſon who from the firſt beginning judged ſo well of

* Induſtria probitas—animus lubidinis & divitiarum victor, tantummodo gloriæ avidus. SALLUST.

the

the future. The hiſtorian adds, that this ſaying of Scipio's was catched up by Marius as an oracle, which exalted his courage, and emboldened him to enter the path that led to honours and offices. A. R. 644. Ant. C. 108.

He was at firſt Tribune of the ſoldiers: and Salluſt * obſerves, that when he was choſen into that office by the People, his actions alone ſollicited in his favour. For he had appeared much more in camps and armies than in the Forum; and moſt of thoſe who voted for him, did not ſo much as know him by ſight.

He afterwards became Tribune of the People the 633d year of Rome, not without having before experienced a refuſal, according to Valerius Maximus, who even ſays, that he had received the ſame affront in his little town of Arpinum, where he could not obtain any municipal office. But nothing was capable of diſconcerting him; and the conſciouſneſs of his own merit, joined with his ambition, ſupported him againſt all the events that were moſt capable of diſcouraging him. He was aſſiſted in attaining the office of Tribune by the credit of one Metellus, to whoſe houſe himſelf and his forefathers had been attached many years. Val. Max. vi. 9.

Salluſt † ſays, that in all the inferior offices, thro' which Marius paſſed, he acted ſo as to ſhew himſelf worthy of the greateſt. This he particularly confirmed in his Tribuneſhip, in which he acted with a dignity, conſtancy, and loftineſs, above his preſent condition and fortune. His great exploits afterwards, and moſt ſplendid proſperity, could ſcarce have inſpired him with a more noble pride.

He propoſed a law, which inſtituted a new precaution againſt cabals in the aſſemblies of the People,

* Stipendiis faciundis, non Græca facundia, neque urbanis munditiis ſeſe exercuit—Ergo ubi primum Tribunatum militarem à populo petit, pleriſque faciem ejus ignorantibus, facilè (or rather factis) notus per omnes tribus declaratur.

† Semper in poteſtatibus eo modo agitabat, ut ampliore quam gerebat dignus haberetur.

A. R. 644. Ant. C. 109. and in the manner of giving ſuffrages. This law diſpleaſed the Senators, whoſe credit it ſeemed to abridge; and the Conſul Cotta paſſed a decree in the Senate, for citing Marius to give reaſons for his conduct. He obeyed, and appeared before that auguſt aſſembly, not as a ſubaltern, that was to juſtify himſelf before ſuperiors, but as a maſter, that gives the law; and declared to the Conſul, that, if the decree which had juſt paſſed, were not cancelled, he would commit him to priſon. They were not much terrified by that menace, and Metellus, who gave his opinion firſt, ſeconded the Conſul. Upon that, Marius made his Serjeant enter, and ordered him to ſeize Metellus, and carry him to priſon. Metellus implored the aid of the other Tribunes, but ineffectually. The Senate was obliged to give way, and the law paſſed. This vigorous action did the Tribune great honour: and the People conſidered him as a defender, ready to eſpouſe their party on all occaſions againſt the Senate. They were miſtaken; and had ſoon proof of it.

One of his Collegues brought on a law for diſtribution of corn to the citizens. Marius roſe up againſt this largeſs, and continuing firm to the laſt, prevented the law from being paſſed. By this conduct, he made himſelf equally eſteemed by both parties, as not ſeeking to pleaſe either the one or the other, and having the publick good ſolely in view.

After the Tribuneſhip, he ſtood for Curule Ædile. But, as * Valerius Maximus obſerves, he could only make his way into the Senate by dint of ſuffering many repulſes. The adventure is ſingular, and without example. When he ſaw he was upon the point of loſing the Curule Ædileſhip, he renounced it through neceſſity. But the ſame day the Plebeian Ædiles were elected. He offered himſelf for this ſecond charge inferior to the other: and was again re-

* Patientiâ repulſarum irrupit magis in Curiam quam venit. VAL. MAX. vi. 9.

jected.

jected. Thus he was the only Roman that had ever experienced two repulſes in one day. He however loſt nothing of his haughtineſs or hopes, and ſoon after ſtood for the Prætorſhip. A. R. 644. Ant. C. 108.

He was not rejected; but was very near it. For of the ſix Prætors, which were elected, he was the laſt choſen, and not without great difficulty. He was preſently after accuſed of caballing. I have ſpoke above of Caſſius Sabaco, who was noted by the Cenſors on this occaſion. As to Marius, he ſupported the hazards of a trial with his uſual loftineſs. The accuſers having demanded that Herennius ſhould be heard as a witneſs, the latter pretended, that he ought to be diſpenſed with, as Marius and his relations were his clients. It was the intereſt of the accuſed to ſuffer the thing to paſs in this manner without noiſe; and to ſpare himſelf a witneſs againſt him. But that his pride could not admit. He roſe up, and declared, he was not any perſon's client, from the moment he had been a magiſtrate. This however, as Plutarch remarks, was not ſtrictly true. For only the Curule officers diſcharged clients from their dependance upon their patrons. Now Marius had not yet filled a Curule chair. However it were, the affair at firſt went very much againſt him. But at laſt, the judges being divided in their ſuffrages, he thereby eſcaped condemnation, and continued in poſſeſſion of the Prætorſhip.

He exerciſed it the 637th year of Rome with no great reputation. The next year he was ſent into Hiſpania Ulterior, where he chaced ſome troops of robbers.

At his return to Rome, as he had neither riches nor eloquence, he wanted the two advantages which at that time attracted moſt conſideration. However, the virtues of ancient times, which were ſeen to ſhine out in him, a lofty ſoul, a courage ſuperior to all fatigue and danger, a perfect ſimplicity in his way of living, and, in a word, his ſeverity of manners, did not fail to make him honoured. He married at this time,

A. R. 644. Ant. C. 108. time, and made a good alliance, his wife being Julia, who was Cæſar's aunt; and this was the firſt engagement that brought Cæſar into the popular faction.

Plutarch gives us here a remarkable inſtance of Marius's courage in ſuffering pain. He had ſwollen veins (*varices*) which diſfigured his legs, and reſolved to have them cut. In conſequence, he had one of them treated by a ſurgeon, whom he would not permit to tie him, and ſuffered the operation without moving, or crying out in the leaſt, with a calm countenance and profound ſilence. The pain was however cruel, (ſome ſay it was ſearing with hot irons) and he would not ſuffer the ſurgeon to operate upon the other leg; ſaying, that the cure was not worth the pain. Thus, ſays * Cicero, he bore pain like a man of courage; but thought it was not conſiſtent with human nature to ſuffer it unneceſſarily out of choice.

Marius had paſſed five years ſince his Prætorſhip, without making any new advances towards fortune. The queſtion with him now was to attain the Conſulſhip. But the Nobility barred the entrance to it againſt new men. They ſometimes permitted them to ſhare in the other offices: but they reſerved this ſupreme dignity to themſelves, which they would have thought diſgraced, if it had fallen into the hands of a man of mean birth. Metellus, againſt his intention, ſupplied Marius with the means of forcing this barrier, by making him his Lieutenant-General in the army of Numidia. This was putting him into his own element: and in this employment he behaved in the moſt proper manner to deſerve univerſal eſteem and admiration. No labour or danger, though ever ſo great, were capable of diſmaying him; nor any uſeful function ſo low and minute as to be diſdained by him. He took place of all of his own rank b

* Ita & tulit dolorem, ut vir: & ut homo majorem ferre ſine cau neceſſaria noluit. Tuſc. Quæſt. ii. 53.

prudenc

prudence, and ſuperiority of views; and for ſimplicity in eating and drinking, and patience in fatigues, vyed with the meaneſt of the ſoldiers: and thereby he made himſelf extremely beloved. For, ſays * Plutarch, nothing conſoles thoſe who are obliged to undergo great fatigues, than ſeeing others ſhare voluntarily in them. This in ſome meaſure removes their neceſſity and conſtraint. Accordingly, the moſt agreeable of all ſights to the Roman ſoldiers, was a General eating brown bread with them, lying upon leaves, and lending a hand in opening a trench, or fixing the paliſades. They did not eſteem the commanders ſo much who ſhared glory and riches, as thoſe who condeſcended to ſhare in fatigues, with them: and to ſhare in labours with them was a more certain means to gain their affection, than to ſuffer them to be idle. Such was the conduct of Marius: and this method of attaining the Conſulſhip had undoubtedly been highly laudable, if he had not added dark contrivances, bad practices, and at length declared enmity againſt a General of the greateſt merit and virtue, and one to whom he had obligations. A. R. 644. Ant. C. 108.

Metellus indeed did give him ſome cauſe of complaint. That General had excellent qualities: but he was † proud, haughty, and contemptuous; a fault very common to the Nobility.

When Marius therefore aſked to be diſmiſſed the ſervice, and permiſſion to go to Rome, to ſtand for the Conſulſhip, Metellus ſeemed amazed at that propoſal, as at ſomething extraordinary, and adviſed him as a friend, " not to embark in ſo ſtrange an enterprize, and form deſigns above his condition. He told him, that it did not ſuit every body to aſpire at the firſt

* Ὅλως μὲν γὰρ ἔοικε τῷ κάμνειν ἑκάστῳ παραμυθία τὸ συγκάμνειν ἑκουσίως εἶναι· ταῦτ γὰρ ἀνιρεῖ τὴν ἀνάγκην· ἥδιστον δὲ Ῥωμαίοις θέαμα στρατιώτης στρατηγῷ ἰδίων ἐν χωρίοις ἄρτον κατακειμένῳ· ἐπὶ σκάφῳ δ' ἰουτλῆς. ἃ περὶ τραφείαν τινὰ καὶ χαρίσασιν ἂν συνοφαντόμενοι· ἃ γὰρ ἔστα τὰς τιμὰς καὶ τῶν χρημάτων μεταδίδοντας, οὐ τὰ σῶμα καὶ κίνδυνα μεταλαμβάνοντας ἡγεμόνας θαυμάζουσι, ἀλλὰ μᾶλλον ἀγαπῶσι τῶν θαυμάτων ἐπιβριπόντων τοὺς συμπόνων ἐθελόντας.

† Inerat contemptor animus, & ſuperbia, commune Nobilitatis malum. SALLUST.

A. R. 644. Ant. C. 108.

offices: that he ought to be ſufficiently ſatisfied with his fortune: and laſtly, that it would argue prudence in him not to demand that of the People, which would draw upon him the ſhame of a juſt repulſe. That for the reſt, he would diſcharge him, as ſoon as the publick affairs would admit." As he found himſelf extremely perplexed by Marius, who afterwards repeated the ſame demand, he anſwered him with inſult, "That he ſhould not be in ſuch haſte to ſet out for Rome: That it would be time enough for him to aſk the Conſulſhip, when his own ſon ſhould do ſo." This young Metellus, who then ſerved under his father, was only twenty years old; and a perſon could not be Conſul till forty-three.

So declared a contempt only ſerved to increaſe the ſtrong deſire Marius had to attain the Conſulſhip, and to exaſperate him againſt his General. He * hearkened from thenceforth to nothing but his reſentment and ambition, evil and dangerous counſellors. His ſole care in the winter-quarters, where he commanded, was to gain the ſoldiery, by abating in the ſeverity of the diſcipline, and treating them with more than common indulgence. Beſides which, as there were a great number of Roman merchants at Utica, he never ceaſed decrying Metellus to them, as a man of greater ſhew than merit; whoſe pride was inſupportable, and who expreſsly ſpun out the war, to have the pleaſure of commanding the longer. That as for himſelf, with half the troops Metellus had, he could eaſily take Jugurtha in a few days, and bring him bound hand and foot to Rome. This diſcourſe made the greater impreſſion upon theſe merchants, as they were weary of a war that ruined their trade. Thus all, as well ſoldiers as merchants, in hopes of ſeeing the war ſoon terminated under another General, in their letters to their friends at Rome, made great complaints of Metellus, and highly extolled the merit of Marius.

* Ita cupidine atque irâ, peſſumis conſultoribus, graſſari.

Factiou

Factious perſons make uſe of every aid. Marius gained even a Numidian Prince, named Gauda, to his intereſts; he was Maſiniſſa's grandſon by Manaſtabal. He allured him by the hopes of the kingdom of Numidia, which could not fail of being his, as ſoon as Jugurtha ſhould be killed, or taken. The ſpirit of that Prince was damped by great and continual ſickneſs. Beſides which, he was diſſatisfied with Metellus, who had refuſed his ſervices upon ſeveral chimerical and ridiculous pretences. Gauda in effect was eaſily perſuaded by Marius, and joined thoſe who ſollicited the Conſulſhip for him. A. R. 644. Ant. C. 108.

In the mean time Jugurtha found himſelf in danger of being deſtroyed by the artifices of the Roman General, and the treachery of ſome of the principal perſons of his court. We have ſaid before, that Bomilcar, brought over by Metellus, had adviſed that Prince to ſurrender to the Romans. Jugurtha having only followed that counſel in part, and ſtopt juſt when it was to be put in final execution, conceived a diſtruſt of the perſon who had given it him. Bomilcar diſcerned this; and to prevent the revenge of a violent Prince, who ſpared nobody, was reſolved to compleat his work, and to ſave his own life by killing his maſter. He brought a Numidian Lord into his deſign, who was highly conſidered by his country, on account of his birth, employments, and riches, and in great eſteem with the King. Unhappily for them the conſpiracy was diſcovered: it coſt Bomilcar his life; the juſt reward of his perfidy.

But the alarm which a conſpiracy, formed by the deareſt and moſt intimate of his confidents, gave Jugurtha, affected him ſo much, that he had no longer a moment's tranquillity. He thought himſelf ſafe no where. The night, the day, the citizen, the ſtranger, all made him tremble. He never ſlept but by ſtealth, frequently changing his apartment and bed, without regard to the decorum of his rank. Sometimes ſtarting up, he would ſeize his arms and raiſe great cries, ſo much had fear got the better of his reaſon.

When

A. R. 644. Ant. C. 108.

When Metellus knew, by the report of deſerters, that the conſpiracy had been diſcovered, and Bomilcar put to death, he prepared to renew the war. Marius continually demanded to be diſmiſſed. As he could not hope much ſervice from a man who believed himſelf injured, and was diſagreeable to him, he at length permitted him to retire.

Marius was received at Rome by the People with great marks of eſteem and affection. What had been wrote thither from Africa, had made great impreſſion in his favour. The high birth of Metellus, which had before acquired him reſpect, ſerved no longer but to excite enmity againſt him; and, on the contrary, the obſcurity of Marius's extraction recommended him to the People, who thought themſelves deſpiſed in the contempt expreſſed for that new man, as the Nobility termed him. The Tribunes, on their ſide, laboured inceſſantly to animate the People, and never harangued, without giving Marius the greateſt praiſes, and loading Metellus with reproaches. For the reſt, it was not by the good or bad qualities of either the one or the other, that the affair was determined: cabal, and the ſpirit of party, were the ſole motives in it.

The credit of the Nobility was very much ſunk, ſince many of them had been condemned, as we have ſeen, for the crimes of peculation and extortion, and the power of the People much augmented. This appeared fully in the election of Conſuls. The People declared openly for Marius, and, what had not happened for many years, * a new man was elected into this office. L. Caſſius Longinus was given him for Collegue. This was not all: at the requeſt of one of the Tribunes, the command of the army of Numidia, which had been continued by the Senate to Metellus, was conferred by the People upon Marius.

* Q. Pompeius is believed to have been the laſt new man, who attended the Conſulſhip four and thirty years before.

We

We now ſee the new Conſul ſatisfied and triumphant: but he attained all this greatneſs ſolely at the expence of probity and gratitude. It will not perhaps be diſagreeable to give Cicero's opinion of ſuch a conduct a place here. He begins with a brief account of the intrigues and artifices uſed by Marius to diſcredit Metellus; and then adds: "He * was at length elected Conſul; but he departed from the rules of honour and juſtice, in calumniating an excellent and illuſtrious citizen, who had made him his Lieutenant General. Can we, ſays he, after this conſider him as an honeſt man? Can an honeſt man, from the motive of intereſt, lye, calumniate, deceive, and defraud others of their right? Certainly, No. Is there upon earth any advantage, however deſirable it may appear, for which it is allowable to ſacrifice the name and repute of an honeſt man? Wherein will this imagined utility compenſate the loſs ſuſtained by renouncing juſtice and probity? Is it not transforming one's ſelf into a brute beaſt, when under the form of a man are concealed the avidity and violence of a brute?" Could the moſt ſevere caſuiſt expreſs himſelf with greater energy?

A. R. 644. Ant. C. 108.

C. MARIUS.
L. CASSIUS.

A. R. 645. Ant. C. 107.

Metellus did not yet know what had paſſed at Rome, and not doubting but that he ſhould be continued in the command in Numidia, he applied to the war with vigour.

* Factus eſt ille quidem Conſul, ſed à fide juſtitiaque diſceſſit, qui optimum & graviſſimum civem, cujus legatus fuerat, in invidiam falſo crimine adduxerit.—Poſſumuſne Marium virum bonum judicare?—Cadit ergo in virum bonum, mentiri emolumenti ſui causâ, criminari præripere, fallere? Nihil profectò minus. Eſt ergo ulla res tanti, aut commodum ullum tam expetendum, ut viri boni & ſplendorem & nomen amittas. Quid eſt quod afferre tantum utilitas iſta, quæ dicitur, poſſit, quantum auferre, ſi boni viri nomen eripuerit, fidem juſtitiamque detraxerit? Quid enim intereſt utrum ex homine ſe quis conferat in belluam an in hominis figura immanitatem gerat belluæ? CIC. de Offic. iii. 79, 81, 82.

Jugurtha

A. R. 645. Ant. C. 107. Jugurtha having loſt his friends, moſt of whom he had put to death himſelf, and had reduced the reſt to take refuge either amongſt the Romans, or with Bocchus, King of Mauritania, was in ſtrange perplexity. He could not make war alone, and without officers. And having lately experienced the perfidy of his old ſervants, how could he rely upon the fidelity of ſuch as were but juſt entered into his ſervice? Every thing was ſuſpicious to him. He changed his route and officers every day. Sometimes he ſeemed to intend to ſeek the enemy, and ſometimes he retired into his ſolitudes. He often fled, and ſoon after expreſſed impatience for coming to a battle. He relied neither upon the fidelity nor valour of his ſubjects. Wherever he turned his thoughts and deſigns, he could ſee nothing that was not ſiniſter.

Whilſt he was fluctuating in theſe uncertainties, Metellus appeared on a ſudden with his army. Jugurtha, in this ſurprize, drew up his troops in as good order as the little time he had would admit. The battle began, and in the place where the King was there was ſome reſiſtance. All the reſt gave way, and were routed at the firſt charge. The Romans remained maſters of the colours and arms; but they took few priſoners, becauſe moſt of the Numidians eſcaped by flight. For, ſays * Salluſt, that they know much better how to do, than to fight.

After this defeat, Jugurtha again deſpaired of the ſucceſs of his affairs. He fled to the deſerts with the deſerters, and part of his horſe. From thence he repaired to Thala, a great and rich city, where he kept moſt of his treaſures, and his children were educated. Though, in order to arrive there, it was neceſſary to croſs fifteen leagues of a ſandy country without water, Metellus followed him thither, in hopes of terminating the war by the conqueſt of that

* Nam fermè Numidas in omnibus prœliis magis pedes quàm arma tutata ſunt.

place,

place, and cauſed water to be carried thither in leathern bags. The ſudden arrival of Metellus extremely ſurprized both Jugurtha and the inhabitants. That Prince, ſeeing that nothing was capable of ſtopping the Roman General, eſcaped by night from Thala, carrying with him his children, and the greateſt part of his treaſures. The flight of the King did not prevent the city from making a good defence: it was very well fortified both by art and nature. The ſiege continued forty days, at the end of which the Romans, after many fatigues and dangers, made themſelves maſters of the place. But they loſt the whole plunder of it. The deſerters, ſeeing that the rams had made a breach in the walls, and they had no reſource left, carried the gold, ſilver, and every thing of moſt value in the city, into the King's palace. There, after filling themſelves with wine and good cheer, they ſet fire to the palace, and deſtroyed themſelves with every thing there in the flames; thereby condemning themſelves to a greater puniſhment, than they could have apprehended from their enemies. A. R. 645. Ant. C. 107.

Jugurtha, after the taking of Thala, ſeeing that nothing could withſtand Metellus, removed, with few followers, through great deſerts, into the country of the Getuli, a ſavage and barbarous people, who did not ſo much as know the name of Roman. He aſſembled them, accuſtomed them by degrees to keep their ranks, follow enſigns, execute the orders of their commander, and, in a word, to perform all the duties of war.

On another ſide, he ſupported himſelf with the alliance of Bocchus. That Prince, at the beginning of the war, had ſent Ambaſſadors to Rome, to demand to be received into the alliance of the Roman People. This was a conſiderable advantage in reſpect to the war undertaken againſt Jugurtha. But the avarice of a ſmall number of Senators made this affair miſcarry; whether they were bribed by Jugurtha's money, or were for making Bocchus buy the alliance of the Commonwealth. For Salluſt is not very

A. R. 645. Ant. C. 107. explicit upon this head. This refuſal had prejudiced the King of Mauritania againſt the Romans, and made him the more ready to hearken to the ſollicitations of his kindred and friends, who, gained by the Numidian, determined him to unite with him. Beſides which, Jugurtha was his ſon-in-law. But indeed, theſe alliances had no great weight with the African Princes, who had many wives. The two Kings agreed upon a place for joining their armies. They there gave each other their faith in form. Jugurtha animated Bocchus, by repreſenting to him, "That the Romans were the moſt unjuſt people upon earth, of inſatiable avarice, enemies to all mankind, and in particular to all Kings. That as it was ambition alone that made them arm, they ſucceſſively attacked all Kings and States, now him (Jugurtha), heretofore Perſeus and the Carthaginians, and as ſoon as poſſible Bocchus himſelf."

The two allied Kings marched together towards the city of Cirta, where Metellus had laid up his plunder, and kept his priſoners and the baggage of his army. Jugurtha judged, that taking the city would be a great blow; or that, if the Romans ſhould come to its relief, there would be a battle which he much deſired. For his view was, by ſome ſignal action, to engage Bocchus on his ſide in ſuch a manner, as ſhould make it impoſſible for him to recede.

Metellus having received advice of the alliance and junction of the two Kings, marched to incamp near the city of Cirta, and took care to intrench himſelf well there. His deſign was not immediately to offer Jugurtha battle, as it had been his cuſtom before. He thought it neceſſary to change his conduct, in order to know previouſly to all things what kind of enemies the new ones were, who had lately joined the others; after which he would be more capable of taking his advantages in a battle.

It was here that he received the news that Marius was appointed to ſucceed him: he knew before, that

he had been choſen Conſul. Whatever force of mind Metellus had in other reſpects, he could not ſupport this unforeſeen ſtroke, which made him ſhed tears, and ſay things little worthy of ſo great a man. It was indeed a mortifying thing, to have an almoſt certain victory, which he had ſo much advanced, torn out of his hands. But what affected him moſt, was that the honour of it ſhould be transferred to his enemy. For, had the command been taken from him to be given to any one but Marius, he would have been much leſs ſenſibly afflicted. A. R. 645. Ant. C. 107.

The concern Metellus was under, prevented him from acting with his uſual vigour; beſides which he thought it madneſs for him to forward an enterprize at his own peril, of which another was to have all the advantage and glory. He contented himſelf with repreſenting to Bocchus by his envoys, "That he ſhould not make himſelf an enemy of the Roman People without cauſe: That he had a fair occaſion of making an alliance and amity with Rome, which were much preferable to war for him. That, whatever confidence he might have in his forces, it was not prudent to hazard certainty for uncertainty. That it was eaſy to engage in a war, but often highly difficult to extricate one's ſelf out of it. That the entrance of it was open even to the moſt cowardly, but to quit it depended only on the victor. That therefore he ſhould maturely conſider what ſuited him and his kingdom; and not compound his preſent flouriſhing fortune with the unhappy fate of Jugurtha."

Bocchus replied, "That peace was his deſire; but that he pitied Jugurtha's misfortunes; and that if Metellus thought fit to make his ally the ſame offers as had been made to himſelf, all parties would ſoon come to an agreement." The General ſent again to Bocchus, who approved ſome of the propoſals made to him, and rejected others. Theſe negotiations took up time, and prevented both ſides from acting, as Metellus deſired.

SECT. III.

Marius prepares every thing for his departure. He harangues the People. He ſets out from Rome, and arrives in Africa. Metellus is perfectly well received at Rome. The honour of a triumph is granted him. Upon an accuſation of extortion, his judges refuſe to examine the journal of his adminiſtration. Marius begins by forming and enuring his troops for war. He beſieges and takes Capſa, a place of importance. He beſieges a caſtle which was thought impregnable, and is almoſt diſcouraged by the difficulties he finds at it. A Ligurian climbs up the rocks, and gets to the top of the fort. He reaſcends it again with a ſmall detachment given him by Marius. The detachment enters the fort, and the place is taken. Sylla arrives in the camp. Birth and character of that famous Roman. Bocchus joins Jugurtha with his troops. They attack Marius and have ſome advantages at firſt. They are afterwards defeated and put to the rout. Marius's cares in marching. New battle, in which the Romans are again victorious. Bocchus ſends Deputies to Marius and then to Rome. Marius, on the inſtances of Bocchus, ſends Sylla to him. After much fluctuation, he delivers up Jugurtha into Sylla's hands. The latter aſcribes the glory of this event to himſelf. Marius's triumph: miſerable end of Jugurtha. DETACHED FACTS. *Cenſorſhip of Scaurus. The ſon of Fabius Servilianus baniſhed the city, and then put to death by his father for his infamous conduct. The ſon of Fabius Allobrogicus interdicted by the Prætor. Singular character of T. Albucius. His vanity. He is condemned for extortion. Scaurus accuſed before the People, and acquitted not without great difficulty. The Tribune Domitius transfers the election of Pontiffs and Augurs to the People.*

WHILS

WHILST theſe things paſſed in Africa, Marius took extreme care to provide every thing that was neceſſary for the war conſigned to him. He levied recruits for the legions; and demanded auxiliary troops of the Allies, States, and Kings: he invited the braveſt of the Latines to join him, and even perſuaded thoſe who had ſerved out their time in war, and been diſcharged, to follow him in this expedition. Every body was eager to give in their names for ſerving under him. They aſſured themſelves of victory, and did not doubt but they ſhould return laden with booty. This declared zeal for Marius mortified the Nobility very much. On his ſide, he treated them with haughtineſs, ſlipt no occaſion for attacking and decrying them publickly, and boaſted frequently, that the Conſulſhip was a trophy he had gained over the effeminacy and worthleſſneſs of the Nobility. The vehemence of his harangues to the People may be judged from that which Salluſt has preſerved, or perhaps lent him, and I proceed to repeat here. A. R. 645. Ant. C. 107.

"I know, Romans," ſaid he, "that moſt of thoſe "whom you raiſe to dignities, behave in a quite different manner after they have obtained them, from "what they do when they ſollicit them. At firſt they "appear laborious, ſuppliant, and modeſt: but afterwards, as ſoon as they are inveſted with your "favours, they abandon themſelves to ſloth and "pride. In my opinion, the reverſe of this behaviour ought to be obſerved. For as the intereſt of "the publick is infinitely to be preferred to the Prætorſhip and Cenſorſhip, more attention ought to "be had in the adminiſtration of the State, than in ſolliciting offices. I am not ignorant how heavy a burthen that is which you have conferred on me. To labour in making preparations of war, and at the ſame time to be frugal of the publick money; to oblige perſons to enter into the ſervice, whom one would not willingly offend; to have the care of all things at home and abroad; and to acquit

A. R. 645. Ant. C. 107. " oneſelf of all theſe duties in the midſt of the invi-
" dious, the factious, and declared enemies, is a
" more rude and arduous ſituation, than can well be
" imagined. To this add one more inconvenience,
" which is peculiar and perſonal to me. If others
" commit a fault, their ancient Nobility, the glo-
" rious actions of their anceſtors, the credit of their
" families and relations, the great number of their
" clients, all theſe, in a manner, come in to their aid,
" and ſecure them: whereas all my reſources are in
" myſelf, and I have no ſupport but what I am to
" find in virtue and innocence: for all the reſt are
" wanting to me. I ſee that the eyes of all the world
" are upon me. The equitable and judicious favour
" me, becauſe they are convinced that I have no
" view in all my actions but the publick good: but
" the Nobility ſeek only occaſions to diſcredit and
" prejudice me. This is one reaſon that induces me
" to make new efforts that I may not fruſtrate your
" expectation, and may render their bad deſigns in-
" effectual. From my earlieſt youth I have ac-
" cuſtomed and enured myſelf to labour and danger.
" What I have hitherto done from the mere love of
" virtue, I ought now with more reaſon to do out of
" gratitude, ſince you have laden me with your fa-
" vours: and this is entirely my reſolution. It is
" hard for thoſe who, to attain dignities, have af-
" ſumed the maſk of virtue, to continue long in the
" conſtraint, when their ambition is ſatisfied. As for
" me, who have exerciſed myſelf in it all my life, I
" can ſay, that long habit has in a manner rendered it
" natural to me. You have charged me with the war
" againſt Jugurtha: and this is what gives extreme
" offence to the Nobility. Now I deſire, Romans,
" you will conſider with yourſelves, whether, inſtead
" of the choice you have made, it would be better
" for you to take, out of that troop of the Nobility
" to fill up the office in queſtion or ſome other the
" like, a man of an ancient family, and one adorned
" with having borne all the great offices of the State
" b

" but without ſervice and experience; in order that A. R. 645. Ant. C. 107.
" in the conduct of ſo important a war, perplexed
" for want of practice, and entirely diſconcerted, he
" may take out of the very people he deſpiſes a guide
" and monitor, to ſhew him his duty. And indeed,
" it often happens, that a man whom you have
" choſen General to command an army, has more
" need of another General to command him, and to
" be to him inſtead of a maſter. I know ſome, who,
" when elected Conſuls, have began to read our hiſ-
" tories, and to ſtudy the art military in the books of
" the Greeks. This is manifeſtly reverſing the order
" of things. For, though they do not command till
" after they have received authority; before they
" have authority, they ought to learn to command.
" Suffer me now, Romans, to compare with theſe
" proud Nobles your Conſul, whom they are for
" leſſening with the title of New Man. What they
" learn from reading and precepts, I have learnt by
" practice and experience themſelves. The inſtruction
" they have from books, I have from many years of
" actual ſervice. And now judge on which you
" ought to ſet moſt value, on words or actions. They
" deſpiſe the meanneſs of my birth; and I that of
" their valour. I am reproached with my fortune,
" they with the unworthineſs of their conduct. But,
" after all, I know that men are all of one and the
" ſame nature; and that, conſequently, the moſt
" worthy are the moſt noble. And indeed, could we
" aſk at preſent the forefathers of Albinus or Cal-
" purnius, who they would rather have for ſons,
" thoſe actually deſcended from them, or me, is it to
" be doubted but they would anſwer, that they al-
" ways deſired to have children virtuous and eſtima-
" ble for their own merit? If they think they have
" a right to deſpiſe me, they muſt then deſpiſe their
" anceſtors, who began their nobility by virtue.
" They envy my dignity: why don't they alſo envy
" my labours, dangers, and the innocence of my
" life, that are the ſteps by which I attained it? But

A. R. 645. Ant. C. 107. " theſe men, whom their perverſe pride has blinded, " behave as if they deſpiſed your dignities, and aſk " them with as much boldneſs and confidence, as if " they had deſerved them by the wiſdom and virtue " of their conduct. They are certainly in a very " great error, to think of uniting in themſelves things " ſo incompatible, and to pretend to the rewards of " virtue, whilſt they enjoy the pleaſures of idleneſs. " When they ſpeak before you, or in the Senate, " they take extreme care to celebrate their anceſtors, " and believe repeating their glorious exploits reflects " great honour upon themſelves. But this is juſt the " reverſe. For, the more the lives of thoſe great " men abound with noble actions, the more theſe of " their deſcendants, if without them, deſerve con- " tempt. The glory of anceſtors, it muſt be owned, " is a light for their poſterity: but a light that equally " illuſtrates vices and virtues. As for me, I cannot " boaſt my anceſtors, but I can repeat my own ex- " ploits, which is undoubtedly more glorious. Ob- " ſerve, I beg you, how unjuſt they are. They pre- " tend to derive luſtre from the merit of others; and " will not admit me to derive any from my own, be- " cauſe I have not thoſe ancient ſtatues at home, with " which they adorn their houſes, and becauſe my " glory is recent. But is it not better to be one's ſelf " the author of one's own nobility, than to diſhonour " that derived from anceſtors? I know, if they " ſhould undertake to anſwer me, they would not " fail to employ fine words, and to make very elo- " quent diſcourſes. This is a glory I do not pre- " tend to diſpute with them. But as, whilſt you " take pleaſure in doing me honour, they ſpare no " calumnies on all occaſions againſt you and me, I " thought it incumbent upon me not to hold my " peace, leſt my ſilence ſhould be taken for admitting " what they ſay. For, at bottom, I have nothing to " fear, and no diſcourſe can hurt me. If it be true, " it can be only to my praiſe; and, if falſe, my " actions ſufficiently bely, and refuſe it. But, Ro- " mans,

" mans, as all this is intended againſt you, and they A. R. 645.
" preſume to cenſure you, for having firſt confided Ant. C.
" the ſupreme dignity of the Commonwealth, and 107.
" next the command of a very important war, to me;
" reflect ſeriouſly, I conjure you, whether you have
" any cauſe to repent it. I cannot, to aſſure you of
" what you are to expect from me, produce the Sta-
" tues, Conſulſhips, and Triumphs of my anceſtors;
" but, if it is neceſſary, I can ſet before you military
" rewards of every kind; pikes, enſigns, crowns: I
" can ſhew you the ſcars of honourable wounds all re-
" ceived before. Theſe are my ſtatues, theſe the ti-
" tles of my nobility, which have not fallen to me
" by inheritance, as to my adverſaries, but which I
" have acquired by my labours and dangers. You
" find no art nor order in my words: that is an art
" upon which I neither pique myſelf, nor ſet much
" value. Virtue makes itſelf known ſufficiently by
" itſelf: others may ſtand in need of fine diſcourſe to
" cover the ſhame of their actions. I have not ap-
" plied myſelf to the ſtudy of the Greek literature;
" as I ſaw that thoſe who have, did not become bet-
" ter men in effect. But what I have learnt, and
" which is of more value for the ſervice of the Com-
" monwealth, is to uſe the ſword, to keep my poſt,
" to attack or defend a place well, to fear nothing
" but infamy, to ſuffer cold and heat alike, to have
" no other bed but the earth, and at the ſame time
" to ſupport both hunger and fatigue. And theſe
" are things I ſhall teach my ſoldiers. I will not let
" them live in want, whilſt I riot in plenty. I will
" not aſſume all glory to myſelf, whilſt they have
" only toil and labour. Such a conduct ought not
" to be obſerved in reſpect to citizens. To live one's
" ſelf in ſloth and luxury, and exact rude ſervice and
" fatigue from the ſoldier, is to act as a maſter over
" ſlaves, not as a General. It was by a quite diffe-
" rent conduct our anceſtors acquired themſelves ſo
" much glory, and did the Commonwealth ſo much
" honour. Now the Nobility, after having entirely de-

" generated

A. R. 645. Ant. C. 107. " generated from their glory, deſpiſe us; us, who " endeavour to tread in the ſteps of their anceſtors; " and exact dignities from you as their right, with- " out taking any pains to deſerve them. I repeat it: " theſe men, ſo proud of their birth, impoſe ſtrangely " upon themſelves. Their anceſtors left them all " that it was in nature to tranſmit, their riches, ſta- " tues, the glory of their names and great actions: " but they have not left them their virtue, nor indeed " could they do it; virtue, of all good things, being " the only one that can neither be tranſmitted nor in- " herited. They ſay I live in a groſs manner, and " without what they call elegance and politeneſs, " becauſe I have no great ſkill in ſetting out a feaſt; " make no uſe, at the entertainments I give, of co- " medians and buffoons; and that I give no more " for a ſlave that is to be my cook, than for one to " work in my field. All this is true, and I freely " confeſs it. I learnt from my father, and other per- " ſons of virtue, that ornament is for women, as la- " bour is for men: that men of worth ought rather " to aſpire at glory, than at riches: that arms do " more honour than the moſt magnificent robes. As " they think quite otherwiſe, let them follow their " taſte. Let them paſs their days in wine and de- " bauches; let them end their lives as they have be- " gan them; and leave us to duſt, and ſweat, and " military fatigues, which we prefer to all their vo- " luptuouſneſs. But they do not act in this manner. " After having wallowed in ſhameful pleaſures, they " come to deprive us of the rewards of virtue and valour. " Thus, through inſupportable injuſtice, depravity of " manners, and luxurious eaſe, which ought to ex- " clude them from all offices, does them no hurt, " and are only fatal to the Commonwealth, in giving " it unworthy leaders and magiſtrates.

" After having anſwered my enemies, not ſo much " as their infamous conduct, but as my own cha- " racter required, I ſhall add a few words upon the " publick affairs. Above all things, Romans, you

" ſhould expect, with a kind of aſſurance, good ſuc- A. R. 645.
" ceſs of the war in Numidia. You have removed all Ant. C.
" the obſtacles that formed Jugurtha's ſtrength: I 107.
" mean avarice, ignorance, and pride. You have an
" army in Africa that perfectly knows the country,
" that has all the courage neceſſary, but that hitherto
" has not had good fortune. A great part of the
" troops are periſhed either by the avarice or temerity
" of their commanders. O you then, who are of
" age to bear arms, come and join your efforts with
" mine, and ſuſtain with me the honour of the Com-
" monwealth. Do not be diſcouraged by the exam-
" ple of paſt misfortunes, nor fear, that your Gene-
" rals will treat you with pride and inſolence. After
" I have given you orders, you ſhall ſee me, in
" marching, in battle, divide fatigue and danger with
" you. Except in point of command, I ſhall make
" no difference between you and myſelf. You may
" conceive, that with the aſſiſtance of the gods, vic-
" tory, ſpoils, and glory wait for, and ſeem to in-
" vite, you. But though you had not all theſe ad-
" vantages to hope, the intereſt only of the Com-
" monwealth would ſuffice to induce good citizens,
" as you are, to defend it with valour. Cowardice
" never exempted any one from death. Never did
" father deſire that his children ſhould be immortal,
" but that they ſhould become men of great honour
" and probity. I ſhould ſay more on this head,
" Romans, if words could make cowards brave: for
" as to the valiant, I think I have ſaid enough."

Plutarch gives reaſon to think that many ſtrokes of this ſpeech are really Marius's: and the thing is not improbable in itſelf. At leaſt it is certain, that his character is wonderfully ſuſtained in it, his vanity as a ſoldier, his antipathy to the Nobility, and his contempt of polite learning. We ſhall ſee him throughout his life juſt what he appears here, a great warrior, but with nothing elſe to recommend him.

He put himſelf into a condition to make good his promiſes by effects. He embarked with the utmoſt diligence

A. R. 645. Ant. C. 107. diligence the proviſions, arms, military cheſt, and the other things neceſſary for the army. He at the ſame time made Aulus Manlius, one of his Lieutenants, ſet out. As to himſelf, in the mean time, he made haſte to compleat the levies, without confining himſelf to the ancient cuſtom, which admitted no citizens to ſerve in the legions but thoſe who had ſome eſtate; in order that the Commonwealth might thereby have ſome ſecurity for the zeal and fidelity of her ſoldiers. Marius accepted all that offered themſelves indifferently, even the pooreſt, and thoſe who had nothing at all. Theſe dregs of the multitude were always extremely attached to him; and ambitious as he was, he conceived that with their aid he ſhould form a conſiderable party at Rome. He put to ſea with a much greater body of troops than he had orders to raiſe, and arrived in a few days at Utica. Rutilius, the Lieutenant General, reſigned the command of the army to him; for Metellus had induſtriouſly avoided ſeeing a ſucceſſor, the ſight of whom only would have been extremely mortifying to him.

That General, on his arrival at Rome, expected to find every body highly diſguſted with him; knowing how much his adverſary, by his inveterate and calumnious harangues, had laboured to render him odious to the multitude. He was agreeably deceived. The firſt heat of diſpleaſure being over, he was very honourably received, not only by the Senate, but even by the People. A Tribune however oppoſed his triumph: and Metellus on that occaſion made a ſpeech to the People, of which Aulus Gellius has preſerved us a paſſage entirely noble, and of the utmoſt elevation of ſentiments. "Romans," * ſaid he, "as "it is a conſtant maxim, that it is more eaſy for good "men to ſuffer, than to do, injury; this Tribune, "who is for having you refuſe me a triumph, does

* Quanto probi injuriam faciliùs accipiunt, quàm alteri tradunt, tanto ille vobis, quàm gratiam mihi, pejorem honorem habuit. Nam me injuriam ferre, vos facere vult, Quirites: ut hîc conqueſtio, iſtic vituperatio relinquatur. A. GELL. xii. 9.

"you

"you more wrong than me. For I ſhould ſuffer in- A. R. 645.
"juſtice, and you would do it: ſo that though I ſhould Ant. C.
"have cauſe to complain, you would deſerve to be 107.
"blamed." Metellus obtained a triumph, and aſſumed the ſirname of Numidicus, which perpetuated the remembrance of his exploits in the war of Numidia.

It is very probable, that it was alſo at this time, that * being accuſed of extortion, he received a teſtimony in his favour, from his judges, more glorious than the triumph itſelf. For, when he produced the regiſters of his adminiſtration in his defence, not one of the judges would ſo much as caſt an eye upon them, nor ſeem to doubt a moment, whether what Metellus advanced were true or not; declaring loudly, that to be aſſured of his innocence, there was no occaſion for any other proof than that of his whole life, and univerſally acknowledged integrity.

The Conſul Marius, after having compleated his legions and the auxiliary troops, marched his army into a plentiful country: and diſtributed all the plunder he took in it amongſt the ſoldiers. He attacked and took ſome towns and caſtles of little ſtrength, and fought ſometimes, or rather ſkirmiſhed, in different places. By this means, the new-raiſed ſoldiers accuſtomed themſelves to ſtand firm upon occaſion. They ſaw that thoſe who fled were either killed or taken: that the braveſt have leaſt to fear; that arms are the ſource of glory and riches, and the ſupport of their country, their liberty, and all that is deareſt amongſt men. Thus, in a ſhort time, there was no difference between the old and the new-raiſed troops.

* Audivi hoc de parente meo puer: quum Q. Metellus cauſam de pecuniis repetundis diceret—quum ipſius tabulæ circumferrentur inſpiciendi nominis cauſa, fuiſſe judicem ex illis Equitibus Romanis, graviſſimis viris, neminem, quin removeret oculos, & ſe totum averteret, ne fortè, quod ille in tabulas publicas retuliſſet, dubitaſſe quiſquam, verum-ne an falſum eſſet videretur. CIC. pro Balbo, 11.

Non in tabulis, ſed in vita Q. Metelli argumenta ſincerè adminiſtratæ provinciæ legenda ſibi judices crediderunt. VAL. MAX. ii. 10.

Marius,

A. R. 645. Ant. C. 107.

Marius, after having diſciplined his ſoldiers in this manner, and gained various advantages over the enemy, ſeeing himſelf in a condition to form ſome great enterprize, reſolved to ſurprize Capſa. It was an important place, ſtrong both by art and nature, defended by numerous inhabitants, and provided with munitions of every kind. The horror of the country in which it was ſituated, rendered the conqueſt of it ſtill more difficult. Except the places around the city, the whole country was deſert, uncultivated, barren ſands, and infeſted with very venomous ſerpents. This ſituation ſeemed to render the acceſs to Capſa impracticable to the enemy. But Marius juſtly thought, that would undoubtedly be the very thing that would make them leſs upon their guard, as having nothing to fear. He therefore concealed his deſign with the utmoſt care, and in other reſpects took his meaſures with abundance of prudence. He began by carrying off all the cattle in the country, which he gave to the care of the auxiliary cavalry, with orders to drive them on with the troops. Every day part of theſe cattle were diſtributed to the army; and of their ſkins Marius cauſed leathern bags to be made. The ſixth day he arrived on the banks of the * Tana. After a ſhort ſtay, he left all the baggage there, and loaded the carriage-horſes only with the bags filled with water. Each ſoldier was ordered to carry one. In this condition they moved forwards about ſun-ſet. They marched all night, and halted in the day. The third night, before day-break, they arrived at a place abounding in valleys and ſmall eminences, which were only two miles diſtant from Capſa. Marius kept his troops as much concealed as poſſible between theſe little hills; and at day-break, many Numidians, who ſuſpected no danger, having quitted the city, he made his horſe, with the nimbleſt of his foot, advance on a ſudden towards it to ſeize the gates. The inhabitants immediately ſurrendered; either through the

* Geographers do not mention this victory.

amazement

amazement and terror occaſioned by ſo unexpected an attack, or becauſe they ſaw many of the people had been ſurprized without the walls, and had already fallen into the enemy's hands. The city was burnt. All the Numidians capable of bearing arms were put to the ſword; the reſt were ſold, and the ſpoils were diſtributed amongſt the ſoldiers. This rigour, ſays Salluſt, was contrary to the laws of war. However, neither avarice, nor cruelty, induced Marius to commit it. He conſidered this place was of great advantage to Jugurtha: that the Romans could not approach it without great difficulty: that he had an inconſtant and perfidious nation to deal with, which it was impoſſible to keep within bounds either by lenity or fear. Could all theſe reaſons ſuffice to juſtify a cruelty contrary to the law of nations, exerciſed upon inhabitants who had ſurrendered without deceit? Was it not ſufficient to demoliſh the place? But the motives of intereſt, in war, had long taken place of juſtice, and ſerved inſtead of reaſons. A.R. 645 Ant. C. 107.

So extraordinary a ſucceſs did Marius great honour, and highly increaſed his reputation. His leaſt prudent enterprizes were however attended with glory, becauſe they paſſed for effects of his courage. The ſoldiers, charmed with the mildneſs with which they were commanded, and at the ſame time inriched with ſpoils, extolled their General to the ſkies. The Numidians dreaded him, as if there had been ſomething in him more than human. In a word, both allies and enemies believed that the gods directed and inſpired him in all his undertakings.

After this happy event, he advanced towards other places: ſome of them he forced; many others he burnt, which the diſaſter of Capſa had induced to deſert: and putting all to fire and ſword, he filled the country of the enemy with deſolation and horror. Theſe conqueſts coſt the Romans very few men.

He formed another enterprize, the execution of which was very difficult. Not far from the river of Mulucha, which ſeparated the kingdoms of Jugurtha and

A. R. 645. Ant. C. 107. and Bocchus, in the midſt of a vaſt plain, was a mountain, or rather a rock of great circumference and prodigious height, upon the top of which ſtood a caſtle of moderate bigneſs, to which there was but one very narrow avenue; all the reſt being nothing but precipices, as ſteep as if they had not been the work of nature, but cut and levelled by human induſtry. The garriſon wanted nothing: they had proviſions in abundance, and a ſpring of water in the rock. Jugurtha had depoſited his treaſures in this fort. Marius was very deſirous to make himſelf maſter of it. It was extremely difficult to carry on approaches, to cut the ſoil, and to make uſe of machines againſt it. When they had gone ſo far as to make the batteries advance with great pains and danger, the beſieged either broke them to pieces with ſtones, or ſet them on fire, and reduced them to aſhes. The ſoldiers could not ſtand faſt at work, on account of the unevenneſs of the ground. The braveſt of them were left upon the place either dead or wounded, and the reſt loſt courage.

Marius, after having ſpent many days ineffectually, and without advancing his works, was extremely perplexed, and did not know what to reſolve. However, the extraordinary good fortune which had attended him in all his enterprizes, ſupported him. He experienced it again here. A Ligurian ſoldier gathering ſnails, which he ſaw in the clefts of the rocks, arrived inſenſibly almoſt at the top of the mountain. Curioſity, natural to man, induced him to advance ſtill farther; and ſometimes by the help of oaken branches, which fortunately grew there, and ſometimes by the rocks that afforded moſt hold, he got up to the platform of the fort, and ſaw, that it was entirely abandoned; all the Numidians being poſted on the ſide the beſiegers attacked. The Ligurian immediately deſcended, and gave Marius an account of what he had ſeen. The Conſul being aſſured of the truth by other ſoldiers, whom the Ligurian conducted to the ſame place, reſolved to take the advantage of ſo lucky a diſcovery

diſcovery. He choſe five of the moſt active trumpeters of the army. He detached four Centurions with their companies to ſupport them, and commanded them to obſerve the Ligurian's orders. A. R. 645. Ant. C. 107.

The next day they ſet out, after having provided themſelves with every thing neceſſary. The ſoldiers, by their guide's direction, left every thing behind that might retard them, took off their helmets to ſee the better, and bared their feet to be the leſs expoſed to ſliding. Their ſwords were tied behind their backs, as well as their ſhields, which were of leather, after the Numidian faſhion, and conſequently lighter, and not ſo apt to make a noiſe. The Ligurian went foremoſt, and when he found either points of rock, or roots of trees, that projected, he took care to make cords faſt to them with running knots, on which the ſoldiers might lay hold in order to climb with leſs difficulty. He lent his hand from time to time to thoſe whom ſo ſtrange a way daunted. In the roughest parts of it, he made them go one by one before him, and diſburthened them of their arms, which he carried after them himſelf. When a place ſeemed dangerous, he made the firſt trial of it. They ſaw him aſcend and deſcend ſeveral times; and by that means he encouraged the whole troop under his direction. They arrived at laſt, after many fatigues and dangers, on the top of the mountain, which they found abandoned on that ſide; becauſe the Numidians were all employed at the place which the Romans attacked.

Marius had harraſſed the enemy all day. But when he was informed by couriers, that were diſpatched to him directly, of what the Ligurian had done, he exhorted his troops anew, led them on to the attack in perſon, and commanded them to cover themſelves with their bucklers joined together. To terrify the enemy at a diſtance as well as near, he ordered the archers, ſlingers, and machines, to diſcharge all together. The Barbarians, who had ſucceeded ſeveral times in throwing down and burning the batteries of

A. R. 645. Ant. C. 107. the beſiegers, were full of confidence. Far from keeping behind their parapets, it was their cuſtom to ſhew themſelves day and night on the ſide of the walls, proudly inſulting the Romans, reproaching Marius with the folly of his enterprize, and threatening the ſoldiers to make them ſpeedily the ſlaves of Jugurtha.

Accordingly at this time ſeeing the beſiegers redouble their efforts, they alſo redoubled their conſtancy and courage. But on a ſudden, whilſt this paſſed, they heard a great noiſe of trumpets behind them. The women and children, whom curioſity had brought upon the rampart, immediately fled: thoſe who were neareſt the danger ſoon followed them: and not long after, all in general betook themſelves to flight, as well the armed as the unarmed. The Romans ſeeing their diſorder, preſſed them with ſtill greater vigour, bore down all before them, put all to the ſword, and advanced continually fighting, without the deſire of plunder's being capable of ſtopping a ſingle man of them. Thus Marius's temerity, corrected by a lucky effect of chance, made his fault redound to his honour.

L. Sylla, the Quæſtor, arrived at this time in the camp with a great body of horſe. Marius had left him at Rome in order to raiſe that cavalry in Latium, and amongſt the Italian allies. This Quæſtor is the famous Sylla, of whom ſo much will be ſaid in the ſequel. For this reaſon I think it neceſſary to make him well known. He was of the houſe of Cornelii, ſo productive of great men, and ſo abounding with honours. But the branch from which he deſcended had fallen into obſcurity. I have related elſewhere the cauſe of the fall of this branch, where I ſpoke of the note of infamy inflicted upon P. Cornelius Rufinus, who was the ſtem of it, and after having been twice Conſul and Dictator, was expelled the Senate by the Cenſors in the 477th year of Rome, for having above ten pounds of ſilver plate in his houſe. What is ſingular, this note of infamy in ſome meaſure ex-

tended to his deſcendants, none of whom attained the Conſulſhip, though ſome of them had been Prætors. This decline in point of dignity was attended with indigence. Sylla inherited but a very ſmall fortune from his father, and paſſed his youth in great ſtraits. He was afterwards reproached with this by a man of ſenſe and virtue, who hearing him boaſt very much of his exploits in Numidia, ſaid to him: "And how "can you be an honeſt man, you, whom your father "left nothing, and are however ſo rich?" For, adds Plutarch, though manners in thoſe days had not preſerved their ancient ſeverity, and were already much changed and corrupted by luxury, the perſon who ſpeaks thus to Sylla * ſeems to conſider as equally blameful, the ſquandering of a great patrimony, and not continuing in the poverty of one's anceſtors. For the reſt, if on the ſide of riches, Sylla's lot at firſt was hard, on that of great talents and genius, he had all that was neceſſary to reinſtate the glory of his name. This is his picture as Salluſt has given it us. A. R. 649. Ant. C. 107.

Sylla † was carefully inſtructed in the Greek and Roman letters, and was perfectly maſter of both. He had a great heart, loved pleaſure; but glory more. In times of leiſure, he gave himſelf up to his taſte for pleaſures and diverſions; however, ſo as his affairs never ſuffered by it. He was eloquent, inſinuating, an eaſy friend, and of incredible addreſs in concealing and diſguiſing his deſigns. He loved to give, and when his circumſtances would admit of making preſents, he gave of all kinds, but particularly mo-

* Ἐις ἴσον ὅτιδ' ἐτίθετο τὸν ἐπάρχοντα ἀπορίαν ἀπολιπόντα, καὶ τὸν αὐτὸν πλοῦτον διαφυλάξαντος.

† Sulla literis Græcis atque Latinis juxta atque doctiſſimè eruditus, animo ingenti, cupidus voluptatum, gloriæ cupidior: otio luxurioſo fuit, tamen ab negotiis nunquam voluptas remorata—facundus, callidus, & amicitia facilis: ad fimulanda negotia altitudo ingenii incredibilis: multarum rerum, & maximè pecuniæ largitor; atque fæliciſſimo omnium ante civilem victoriam nunquam ſuper induſtriam fortuna fuit; multique dubitavere fortior an felicior eſſet. Nam quæ deinde fecit incertum habeo pudeat an pigeat diſſerere.

A. R. 645. Ant. C. 107.

ney, with profuſion. He was always fortunate, and even the moſt ſo of mankind, till the victory by which he terminated the civil war; however, his merit was never below his fortune; and it has been doubted whether it were more juſt to term him brave, or happy. But after that fatal epocha to his virtue, he was no longer the ſame man: and perhaps proſperity never produced either more ſudden, or more violent effects.

When Sylla arrived in Marius's camp, he was abſolutely ignorant of the art of war: but he was not long before he made himſelf a perfect maſter of it. He made it his particular care, amongſt other things, to gain the ſoldiers favour by his polite and obliging behaviour. He took pleaſure in ſerving every body that deſired it; and often anticipated requeſts. When he received any good office from others, which he ſhunned as much as poſſible, to avoid laying himſelf under obligations, he conſidered gratitude as a debt which he was deſirous to diſcharge on the firſt occaſion. On the contrary, when he had done a favour, he required no return: and the more of this kind of debtors he had, the better he was pleaſed. He made himſelf familiar, whether in ſerious affairs, or at games and exerciſes, with perſons of the loweſt rank. As to military functions, works, marches, guards, he diſcharged them with ardour, and was preſent everywhere. Far from cenſuring the Conſul's conduct to gratify a miſtaken ambition, his only care was not to be ſurpaſſed by any one in prudence and courage, and even to ſurpaſs every body if he could. Such fine qualities at firſt gained him the hearts both of the General and the troops: ſo that Sylla and Marius were friends for ſome time. But a good underſtanding could not long ſubſiſt between two men of their ambition. We ſhall ſoon ſee a declared enmity ſucceed their friendſhip.

Jugurtha, in the mean time, reflecting upon the loſs of his beſt towns, and the greateſt part of his treaſures, perceived that he was not in a condition to ſupp

ſupport the war, and that it was abſolutely neceſſary either to conquer in a pitched battle, or ſee himſelf deprived of his whole kingdom. But Bocchus, without whoſe aid he could do nothing, was averſe to this conduct. To make him come into it, he employed his uſual arts, corrupting with preſents of money thoſe who had moſt aſcendancy over the King of Mauritania. On his ſide, he promiſed that Prince the third part of Numidia, if they ſhould drive the Romans out of Africa; or if a peace ſhould be concluded, that ſhould not coſt him any part of his dominions. Theſe offers determined him. A. R. 645. Ant. C. 107.

He joined Jugurtha with a great army; and at a time when Marius leaſt expected it, and was upon a march retiring into his winter-quarters, they both attacked him almoſt at the laſt hour of the day. They purpoſely choſe that time, becauſe the darkneſs of the night might very much diſconcert the enemy, to whom the country was unknown; whereas on their ſide, whether victorious or defeated, night was in their favour. The ſurprize at firſt cauſed ſome confuſion amongſt the Romans, who had not time either to form themſelves in order of battle, or to take their uſual ſtations; the infantry being mingled pell-mell in the midſt of the horſe. They loſt abundance of men in this firſt attack, notwithſtanding the great valour with which they behaved. They were ſurrounded on all ſides by the Numidians, whoſe number greatly exceeded theirs. However, the old ſoldiers, taught by long experience, and the new ones by their example, forming different companies, as chance brought them together, drew themſelves up in a circle, and fronting on all ſides in cloſe order and well covered, ſuſtained the charge of the Barbarians with intrepid bravery.

Marius, in ſo warm an action, capable of diſconcerting the moſt experienced Generals, retained all his coolneſs of temper. With the company of horſe that never quitted his perſon, and which he had compoſed, not of thoſe moſt nearly attached to himſelf,

A. R. 645. Ant. C. 107.

but of the moſt brave, he ſupported his troops; threw himſelf every moment into the thickeſt of the enemy; and not being able to make his voice be heard to give the neceſſary orders, he endeavoured to make himſelf underſtood by different ſigns with his hand.

The day was now paſſed, and the Barbarians did not ceaſe fighting: on the contrary, conceiving that night gave them a great advantage over the enemy, they redoubled their ardour. Marius, intent upon ſecuring his army a retreat, ſeized two hills at a ſmall diſtance from each other, and by degrees drew off his troops thither, and intrenched there. The two Kings then, from the difficulty of following him upon thoſe eminences, put an end to the battle. They however did not remove their armies, but made them continue at the bottom of the hills, which their numbers enabled them to ſurround.

The Barbarians, drunk in a manner with their proſperity and ſucceſs in the battle, paſſed a great part of the night in dancing and rejoicing, raiſing great cries according to their cuſtom. Marius, who attentively obſerved all that paſſed amongſt the enemy, commanded his army to keep a profound ſilence, and for that purpoſe, ordered the different ſignals, uſually made by the trumpets for the watches of the night not to be ſounded. But as ſoon as day approached he commanded the trumpets to ſound the charge all together, and the troops to march out of their intrenchments with great cries on all ſides. The Mauritanians and Getuli, fatigued with their nocturnal exerciſes, had hardly began to ſleep. In conſequence awakened ſuddenly by this terrible noiſe, they could neither take to their arms, eſcape by flight, nor determine upon any thing ſalutary. Seeing themſelves preſſed by the enemy, without any body to encourage and draw them up, the tumult, ſurprize, and terror in a manner ſtupified, and put them out of their ſenſes. They were entirely diſperſed, and abandoned moſt of their enſigns and arms; a greater ſlaughter was made of them in this battle, than in all the reſt

drowſine

drowſineſs and fear having deprived them of the means of eſcaping. A.R. 645, Ant. C. 107.

Marius, after this victory, continued his march to take up his winter-quarters in the maritime cities. The great advantage he had lately gained, had made him neither leſs circumſpect, nor more preſumptuous. He marched with as much caution as if the enemy had been always in view. After having given the officers all the neceſſary orders, he however acted with as much care, as if he had nobody to ſecond him. He was ſeen on all ſides, and praiſed and reproached every one as they deſerved. He was no leſs vigilant in the camp than upon the march. * He went the rounds himſelf, not through any diſtruſt that his orders were not obeyed, but to make the ſoldiers love fatigue, by ſhewing them that their General ſhared in it with them. And indeed Marius, during this whole war, kept up the diſcipline rather by the ſenſe of honour and emulation, than by chaſtiſement and ſeverity. And this method ſucceeded. The Commonwealth was as well ſerved under his mild and indulgent command, as if he had treated his ſoldiers with more rigour.

After a march of four days, the Romans arrived near Cirta. Jugurtha and Bocchus came thither to attack them again, having taken their meaſures to do ſo in four different places at the ſame time. But Marius was upon his guard againſt all ſurprizes, and the Numidians and Moors were entirely defeated. Sylla diſtinguiſhed himſelf in this battle. Jugurtha did wonders in it: and having killed an enemy with his own hand, he even went up to a conſiderable body of Roman infantry, and ſhewed them his bloody ſword; crying out to them, that they fought in vain; and that he had juſt killed Marius. This lie was very near ſpreading terror and diſorder amongſt the Romans. But Sylla, and Marius himſelf, coming up

* Ipſe circuire, non tam diſſidentia—quàm uti militibus exæquatus cum imperatore labos volentibus eſſet. Marius—pudore magis quàm malo exercitum coercebat—Niſi tamen reſpublica pariter, ac ſæviſſimo imperio, bene atque decore geſta.

A. R. 645. Ant. C. 107. to reanimate them, Jugurtha, after having exhauſted all the reſources of his addreſs and courage, and fought tenaciouſly, till he remained almoſt alone, eſcaped with great difficulty.

This ſecond defeat diſcouraged Bocchus, and made him think of ſeparating his intereſts from thoſe of Jugurtha. He accordingly let Marius know that he deſired an accommodation, and that he would ſend two perſons of truſt, with whom he might enter into a conference. Sylla and Manlius were charged with this commiſſion. Sylla was eloquent, as we have ſaid; which advantage gained him the honour of being ſpeaker upon this occaſion. "He expreſſed to the King the joy he conceived that the gods had at length opened his eyes, by inſpiring him with the reſolution of preferring peace to war. He repreſented to him, that the alliance of a Prince, whoſe crimes were ſo great as Jugurtha's, was unworthy of him: That on the contrary, that of the Romans was equally honourable and advantageous. He gave him to underſtand, that he had in his hands the means of purchaſing it; and concluded with ſaying, that as the Roman People knew how to repel injuries, they alſo knew how to reward ſervices: and that they never ſuffered themſelves to be outdone in generoſity and gratitude." Bocchus, on his ſide, to juſtify his conduct, complained, that he had been refuſed at Rome the alliance which he had demanded by his Ambaſſadors: he offered however to ſend others thither, if Marius approved it. Accordingly, ſome time after, he choſe five out of thoſe in whom he repoſed moſt confidence, and made them ſet out with full powers to conclude a peace at any price whatever.

Theſe Ambaſſadors were met by Getulian robbers, who ſtripped them of every thing, and treated them with great cruelty. They accordingly came to Sylla in a very bad equipage, who commanded in the abſence of Marius, who was then employed in attacking a fort in deſert and remote places. Sylla, who was naturally generous and magnificent, inſtead of deſpiſing

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the Mauritanian Ambaſſadors in the ſad condition wherein they joined him, gave them a very good reception, and treated them ſplendidly during forty days, till the General returned. By this means he gained their confidence, and by them that of their maſter, of which he made ſuch great advantage in the ſequel. When Marius arrived, the Mauritanians, directed by Sylla's advice, demanded a ſuſpenſion of arms, and permiſſion to go to Rome. Their demands were granted: and immediately two of them returned to Bocchus, to give him an account of their negotiation, and the other three ſet out for Rome. A.R. 645. Ant. C. 107.

When they arrived there, they applied to the Senate, and, according to their inſtructions, ſaid, that Bocchus had been ſurprized by the artifices of Jugurtha; that he repented of his fault; and that he aſked the alliance and amity of the Romans. They were anſwered in theſe terms: "* The Senate and People "of Rome forget neither ſervices nor injuries. As "Bocchus repents his fault, they grant him pardon. "As to their alliance and amity, he will obtain them "when he ſhall have deſerved them." What a ſtile, what haughtineſs is this! Could we believe that it is to a powerful King this anſwer is addreſſed?

The new Conſuls were undoubtedly in office, when this paſſed.

C. ATILIUS SERVANUS. A.R. 646. Ant. C. 106.
Q. SERVILIUS CÆPIO.

This year is famous for the birth of Cicero, and that of Pompey.

When Bocchus had received the Senate's anſwer, he wrote to Marius, who had been continued in command, to deſire him to ſend Sylla to him, in order to their conferring together. Marius made him ſet out with an eſcort of a ſmall body of horſe and foot, with

* S. P. Q. R. beneficii & injuriæ memor eſſe ſolet. Ceterùm Boccho, quoniam pœnitet, dilecti gratiam facit. Fœdus & amicitia dabuntur, quum meruerit.

A. R. 646. Ant. C. 106. ſome light-armed troops. He had ſeveral ſubjects for diſquiet in his march, at firſt through the unexpected meeting of Volux, the ſon of Bocchus, who appeared with a thouſand horſe; and ſoon after of Jugurtha himſelf. Sylla believed himſelf betrayed by Volux, when he ſaw the King of Numidia with forces conſiderably ſuperior to his own ſo near him. He however was neither diſcouraged, nor conceived thoughts of revenging himſelf upon the Mooriſh Prince: and this proved well for him. Volux acted with fidelity: and they paſſed together quite through Jugurtha's camp, without the latter daring to attack the Romans, whom he ſaw eſcorted by the ſon of him in whom all his hopes were placed. Sylla, in conſequence, arrived in ſafety at the court of Bocchus.

In the ſecret conference they had together, the King of Mauritania at firſt, in order to deſerve the alliance of the Roman People, ſeemed to confine himſelf to the offer he had made, to intermeddle no farther in Jugurtha's affairs, and not to aid him with either troops or money. Sylla gave him to underſtand, "that the Romans would not be ſatisfied with that kind of neutrality. That to obtain their amity, it was neceſſary to do them an effectual ſervice: that he had the power in his own hands, and that to deliver up Jugurtha was at his diſcretion. That in that caſe the Romans would have an obligation to him; that their alliance and amity would be aſſured effects of it; and that they would add to his dominions the part of Numidia, to which he pretended to have a right." Bocchus expreſſed great repugnance to this propoſal. Whether he was really ſhocked at it, or to preſerve ſome outſide of probity, which the moſt wicked do not avowedly renounce; or laſtly, to ſell his crime the dearer, he repreſented, "that there was an alliance ſubſiſting between him and Jugurtha, as well as a very near affinity both by birth and marriage: and that if he ſhould break his faith with him, he ſhould riſque alienating the affection of his own ſubjects, who hated the Romans, and loved Jugurtha very much."

Sylla

Sylla was not diſcouraged by this refuſal, and renewed the attack ſo often, that he at length extorted a promiſe from him, to do what was neceſſary for deſerving the amity of the Romans. A. R. Ant. C.

Whether Bocchus made this promiſe ſincerely, and with a reſolution to keep it, is matter of great doubt; for at the ſame time he was actually treating with Jugurtha, at whoſe court he had an Ambaſſador. He even promiſed to deliver up Sylla to him, upon the Numidian's having remonſtrated, that that was the only means to bring the Roman Senate into a good peace, which would never leave an illuſtrious perſon long in chains, that had incurred them by expoſing himſelf for the ſervice of the Commonwealth. Thus did this Barbarian engage himſelf in a double treachery, giving good words both to Sylla and Jugurtha's Ambaſſadors; promiſing the Roman to deliver up the Numidian, and the Numidian to deliver up the Roman. A conference was accordingly agreed upon, under pretext of treating of peace; but neither Sylla nor Jugurtha came to it, becauſe each was aſſured that his enemy was upon the point of being delivered up to him.

The night before the day fixed for the interview, Bocchus was in a ſtrange perplexity. The nearer the moment for deciding approached, the more his uncertainties increaſed. His inclination was for favouring Jugurtha; but fear reduced him to eſpouſe the Romans. The agitation of his mind appeared in his countenance. His actions, his air, his whole deportment, which changed every moment, ſpoke the different ſentiments he felt within. At length fear, the all-powerful motive of little abject ſouls, prevailed. He ſent for Sylla, and concerted meaſures with him for ſeizing the Numidian. The conference was held; and Jugurtha being come to it without arms, and with little or no guard, perſons placed in ambuſcade killed all that attended him, ſeized himſelf, loaded him with chains, and in that condition put him into

A. R. 646. Ant. C. 106. into Sylla's hands, who immediately carried him to Marius.

Thus ended the war in a manner wholly for the honour of Sylla, if there can be honour in conquering by the perfidy of another. However it were, Marius, in juſt return for having deprived Metellus of the glory of compleating the conqueſt, was himſelf deprived of that of the laſt act that determined it.

This adventure was the more affecting to him, as Sylla openly triumphed upon it without any reſerve. He acted on this occaſion, ſays * Plutarch, like a young man immoderately greedy of, and fluſhed with, glory, of which he now firſt began to taſte the charms. Inſtead of aſcribing the honour of this event to his General, as he was obliged to do by his duty, and as he ought to have made an inviolable rule, he aſſumed the greateſt part of it to himſelf, and had a ring made, which he always wore, and uſed as a ſeal, on which he was repreſented receiving Jugurtha from the hands of Bocchus. Marius, ſtung to the heart by this kind of inſult, never forgave it. And this was the origin of that implacable hatred which afterwards broke out between thoſe two Romans, and which coſt the Commonwealth ſo much blood.

Plut. in Mar. & Syll.

A. R. 647. Ant. C. 105.

P. RUTILIUS RUFUS.
Cn. MALLIUS MAXIMUS.

Marius paſſed the greateſt part of this year ſtill in Africa, no doubt employed in regulating his new conqueſt. It is not eaſy to ſay exactly what thoſe regulations were. But Numidia was not then reduced into a Roman province, and we ſhall again ſee Kings of Maſiniſſa's race riſe up.

Marius was ſtill in Africa, when he received news that he was elected Conſul for the ſecond time. The extreme danger of Italy, which was threatened with

* Οἷα νέος φιλότιμος, ἅμα δόξης γευσάμενος, οὐκ ἤνεγκε μέτριος τὸ ἰσότιμον. PLUT. præcept. reip. ger. p. 806.

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an invaſion by the Cimbri, after the bloody defeat of Cæpio and Mallius in Gaul, had made it neceſſary to break through all rules and party intereſts, to reinſtate a perſon in office at the end of three years, who had found ſo much difficulty to attain the Conſulſhip for the firſt time, but who was then conſidered as the ſole reſource of the Commonwealth. A. R. 647. Ant. C. 105.

He therefore immediately returned to Italy, and entered Rome in triumph on the firſt day he entered upon office, that is, on the firſt of January; exhibiting a ſight to the Romans, which they could ſcarce believe even when they ſaw it, Jugurtha, a captive and in chains: that formidable enemy, during whoſe life they could not ſo much as flatter themſelves that they ſhould ſee an end of the war; ſo united in him was valour with arts and ſtratagems, and ſo fertile was his genius in reſources, even in the midſt of the moſt deſperate misfortunes. His two ſons followed him in this mournful ceremony. It is ſaid, that in the proceſſion, he appeared like a man out of his ſenſes. He was thrown into a dungeon, where the goalers, in their haſte to ſtrip him of his ſpoils, tore his robe to pieces, and pulled off the tips of his ears for the ſake of the pendants he wore in them. He paſſed ſix whole days in that horrid priſon, ſtruggling with famine, and retaining to the laſt moment an ardent deſire to live: a fit end, adds Plutarch, a due reward for his atrocious crime. It is of good example, that ſuch vile wretches as he do not eſcape the divine vengeance even in this life.

Marius, either through abſence of mind, or haughtineſs, entered the Senate, after the ceremony, in his robe of triumph, which was without example. He perceived, that the whole preſence was ſurprized and ſhocked at that innovation. He quitted the hall that inſtant, and returned in the uſual habit, that is, the robe bordered with purple. He however had ſtill on a ſimple iron ring; it was not till his third Conſulſhip that he aſſumed a gold one. Plut. in Mario. Plin. xxxiii. 1.

DETACHED

DETACHED FACTS.

A. R. 643. Before * I proceed to relate the war with the Cimbri, I ſhall give ſome facts a place here, which have little connexion with the hiſtory in general, and however deſerve not to be omitted.

Scaurus in his Cenſorſhip, which was during the Conſulſhip of Metellus Numidicus and Silanus, furniſhed a new proof of his obſtinate and untractable diſpoſition. For his Collegue, M. Druſus, being dead, he pretended, contrary to invariable cuſtom, to continue in office, though in the like caſe the ſurviving Cenſor was obliged to abdicate. But the Tribunes of the People, by threatening to put him in priſon, compelled him to ſubmit.

His Cenſorſhip, though abridged in this manner, was however famous for works that do him honour. He made a great highway, which began at Piſa, and extended acroſs part of Liguria. The building alſo, or at leaſt the rebuilding, of the bridge Milvius, now called Ponte Mola, over the Tiber, at a ſmall diſtance from Rome, is aſcribed to him.

The ſame times almoſt give us two examples of the exceſſes into which vice ſometimes hurries young perſons, even of illuſtrious birth, and of the misfortunes that attend them. The ſon of Fabius Servilianus, having abandoned himſelf to the moſt infamous courſe of life, his father firſt baniſhed him into the country, and then cauſed him to be put to death by two ſlaves, whom he made free, in order to exempt them from enquiries. He † was however proſecuted on that account, and baniſhed to Nocera in Campania.

* This article of Detached Facts is the Editor's.

† Romulus had given to fathers power of life and death over their children. But it however appears from this example and ſome others, that the exceſſive rigour of fathers was ſubject to the enquiries of the laws and magiſtrates.

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The ſecond example is of another Fabius, who having imitated the irregular conduct of his father Fabius Allobrogicus in his youth, did not follow his example in his amendment. He carried the exceſſes of debauchery and extravagance to ſuch an height, that the Prætor was forced to interdict him, and appoint him a keeper. Thus the State ſupplied what paternal authority ought to have done; and the perſon * whom the too great indulgence of his father had conſtituted heir of his fortunes, the ſeverity of the magiſtrate diſinherited.

The exact date of theſe two facts is not certain, but cannot be far from the times of which we have now been ſpeaking.

I ſhall give two trials a place here, that are at leaſt memorable in reſpect to the perſons they concern. The firſt regards one T. Albucius, a ſingular man, and one who proves, that if learning adorns and improves ſolid geniuſſes, it only hurts little minds, or weak heads. This Albucius was Greek mad, ſo much as almoſt to renounce his mother tongue, and choſe rather to paſs, as the poet Lucilius reproaches him, for a Greek than a † Roman. The ſame poet relates on what occaſion he was very agreeably turned into ridicule upon this caprice. ‡ Scævola, on his way to his government of Aſia, paſſed through Athens. Albucius, who was in that city, coming to pay his reſpects to him, Scævola ſaluted him in Greek; at the ſame time his whole train, all his officers, even to the Lictors, did the ſame, ſo that Albucius heard nothing around him but the word χαῖρε (ſave you) re-

* Quem nimia patris indulgentia hæredem reliquerat, ſeveritas publica exhæredavit. VAL. MAX. iii. 4.

† Græcum te (Scævola ſpeaks) Albuci, quàm Romanum atque Sabinum.
Maluiſti dici. Græcè ergo prætor Athenis,
Id quod maluiſti, te, quum ad me accedi', ſaluto.
Χαῖρε, inquam, Tite: lictores, turma omni', cohorſque,
Χαῖρε Tite. Hinc hoſtis mî Albucius, hinc inimicus.
LUCIL. apud Cic. I. de Fin. 9.

‡ This is Scævola the Augur, Lælius's ſon-in-law, who is one of the ſpeakers in the dialogue de Amicitia, and book I. de Oratore.

peated

peated by all that were preſent. This jeſt ſtung him ſenſibly; and as all the philoſophy he had ſtudied in the Greek books had taught him neither more moderation, nor made him a greater maſter of his temper, he conceived ſo much reſentment upon the occaſion, that he reſolved to be revenged. When Scævola returned to Rome, he accuſed him of extortion. But the probity of that irreproachable perſon eaſily refuted this accuſation, which turned only to the confuſion of its author.

He was not ſo fortunate himſelf when he was in the like caſe. Albucius was Prætor about the 647th or 648th year of Rome, and being ſent into Sardinia, he gave chace to ſome wretched bands of robbers. After which, with as much pride as if he had gained ſome important victory, he exhibited in his province the ceremony of a kind of triumph. At the ſame time he wrote to the Senate, to demand that public thankſgivings ſhould be decreed at Rome for the advantages he had gained over the people of Sardinia. Till then there had been no example of refuſing a General the like requeſt. But beſides that the exploits of this perſon little deſerved ſuch an honour, the vanity, with which he had crowned himſelf with his own hands, drew upon him a diſgrace which nobody had experienced before him. He was rejected; and that was not all. On quitting his province, he was accuſed of extortion by the people of Sardinia. He had evidently not learned in the ſchool of Epicurus, whoſe opinions he followed, highly to reſpect virtue, and to prefer his duty to his intereſt. He was condemned in conſequence, and baniſhed to Athens. A little adverſity does ſome people much good. Albucius was of this number. He bore his baniſhment more honourably than good fortune. He conſoled himſelf with philoſophy, ſometimes alſo amuſing his time in compoſing ſatires after the manner of Lucilius.

Aſc. Ped. in Orat. pro M. Scauro.

About the ſame time, Scaurus, Prince of the Senate, who had been Conſul and Cenſor, was accuſed before the people by Cn. Domitius, who was Tribune during

during the third Conſulſhip of Marius. The matter in queſtion was a very great crime; but mentioned only in indefinite terms by the ſingle author that ſpeaks of it. Domitius accuſed Scaurus of a kind of profanation of certain ſacrifices of the Roman People, and in particular of thoſe celebrated in honour of the *Dii Penates* [houſhold gods] of Troy, brought, as was ſaid, into Italy by Æneas. The accuſer was very warm: for he had cauſe of perſonal enmity to Scaurus, who had prevented him from being choſen to ſucceed his father in the office of Augur. However, he had generoſity enough to refuſe the ſecret memoirs one of Scaurus's ſlaves brought him againſt his maſter. He conceived horror both for the traitor and the treaſon, and ſent that wretch back to his maſter. We have ſeen a like circumſtance of the orator L. Craſſus in reſpect to Carbo. And theſe two examples give Valerius Maximus occaſion to cry out: "How * muſt juſtice have been obſerved in thoſe days between friends, when it took place to ſo great a degree between accuſers and the accuſed?" Scaurus was acquitted, but not without great difficulty. Of the thirty-five Tribes three condemned him: and even of thoſe who favoured him, the number of the ſuffrages for acquitting him did not much exceed thoſe againſt him.

Domitius not being able to revenge himſelf on Scaurus, attacked the whole body of the publick Prieſts of Rome, whom he deprived of a very fine privilege. The publick Prieſts, that is, the Augurs and Pontiffs, were in poſſeſſion of a right to fill up the vacancies in their colleges by co-optation. The irritated Tribune cauſed a law to paſs, which transferred that right of election to the People. But as reſpect for religion did not permit that the people ſhould confer the title, Domitius regulated that ac- Cic ii. in Rullum, n. 18.

* Quo pacto igitur inter amicos viguiſſe tunc juſtitiam credimus, cum inter accuſatores quoque & reos tantum virium obtinuiſſe vidimus! VAL. MAX. iv. 4.

cording to the cuſtom already eſtabliſhed in reſpect to the Pontifex Maximus. The leaſt half of the People were aſſembled, that is, ſeventeen Tribes only, drawn by lot: and the perſon who had the plurality of ſuffrages in this aſſembly of ſeventeen Tribes, was choſen by the Pontiffs. The Tribune cauſed it to be decreed, that the ſame thing ſhould be done in reſpect to all the other places of Pontiff and Augur. He was well rewarded for his trouble; for ſoon after he was elected Pontifex Maximus himſelf.

THE ROMAN HISTORY.

BOOK THE THIRTIETH.

THIS book, to begin at the Conſulſhip of Rutilius, contains the ſpace of fourteen years, from the 647th to the 660th year of Rome. It contains principally the war with the Cimbri, the ſecond revolt of the ſlaves in Sicily, the ſedition of Saturnius, the baniſhment and recal of Metellus Numidicus, and ſeveral memorable trials.

SECT. I.

Of the Cimbri and Teutones, German nations. Incurſions of thoſe nations into different countries. They are attacked in Noricum by the Conſul Carbo, and defeat him. They move into the country of the Helvetii. The Tigurini and Tugeni join them. They beat the Conſul Silanus in Gaul. The Tigurini gain a great victory over the Conſul L. Caſſius. The Conſul Cæpio plunders the gold of Toulouſe. Cn. Mallius, a man of no merit, is made Conſul, and ſent into Gaul to ſupport Cæpio. Diſſenſion between Cæpio and Mallius. Aurelius Scaurus defeated and taken by the Cimbri. Terrible defeat of the Roman armies. The Cimbri re-

ſolve to march to Rome. Alarm and conſternation of the Romans. Rutilius exerciſes and diſciplines the troops perfectly. Marius is elected Conſul for the ſecond time. The Cimbri ſet out towards Spain. The marching of the Cimbri into Spain leaves Marius time to form his troops. Generous action of Marius. He digs a new canal for the Rhone. He is elected Conſul for the third time. Sylla perſuades the Marſi to enter into an alliance with the Romans. The Cimbri are defeated in Spain. Marius is elected Conſul for the fourth time. The Cimbri and Teutones ſeparate, and the Conſuls alſo. Marius declines fighting with the Teutones. Martha, a Syrian woman, given out by Marius for a propheteſs. Marius refuſes a ſingle combat. The Teutones continue their march, and advance towards the Alps. They are entirely defeated by Marius near the city of Aix. The Roman army preſents Marius with the ſpoils, who cauſes them to be ſold at a very low price. Marius, whilſt employed at a ſacrifice, receives advice that he is elected Conſul for the fifth time. The Cimbri enter Italy. They force the paſs of the Adige. Marius joins his army with that of Catulus. Battle fought near Vercellæ. The Cimbri are entirely defeated. The news of this victory occaſions incredible joy at Rome. Marius triumphs jointly with Catulus. Misfortune of Cæpio. He makes himſelf agreeable to the Senate by a law which reſtores the adminiſtration of juſtice in part to that order. He is diveſted of command, and his eſtate is confiſcated. He is afterwards excluded the Senate. He is again condemned by the People for plundering the gold of Toulouſe. Conſequences of that ſentence.

THE * Cimbri and Teutones, who made the Romans ſuffer the bloodieſt defeats, and before whom Rome trembled at the time of its greateſt power, were a people that came from the north of Germany

* The beginning of this book, to the Conſulſhip of Rutilius, is the Editor's.

and the coaſts of the Baltick ſea. I do not enter into the antiquity of theſe people, which is foreign to my ſubject. It ſuffices to obſerve, that from the earlieſt times it had been the cuſtom of the Celtick and Germanick nations, to tranſplant themſelves with their wives and children, and to go in queſt of ſettlements in remote countries. Europe and Aſia were full of their colonies. The northern nations were always the terror of the ſouthern.

Thoſe of whom we ſpeak having advanced at firſt towards Bohemia, were repulſed by the Boii, inhabitants of the country, who ſtill retain that name *. They afterwards approached the Danube, which they paſſed, and went on as far as the country of the Scordiſci, who are placed upon the banks of the Save. From thence, turning weſtward, they entered the country of the Tauriſtæ or Tauriſci, which anſwers to that we now call Stiria. All the nations, through which we have juſt traced the route of the Cimbri and Teutones, were Gauls by origin. It does not appear that they either could, or would, fix in any of theſe regions. Therefore, continuing their march, they entered Noricum, where they had made their uſual ravages: and it was here they firſt found themſelves embroiled with the Romans.

This country, which contains very near what we A. R. 639.
now underſtand by the names of the Upper Auſtria, and the Circle of Bavaria, placed the Cimbri at too ſmall a diſtance from Italy, not to give the Romans jealouſy. The Conſul Cn. Papirius Carbo poſted himſelf in the paſſes of the Alps to intercept them. But perceiving that the Barbarians ſeemed to have quite different deſigns, he became bolder, and ſent Deputies to aſk with menaces, why they ravaged the territory of the Norici, who were the friends of the Romans. There was however no treaty ſubſiſting by which the Romans were obliged to take upon them

* From the name Boii, Boiohenum was formed, which we call Bohemia.

the defence of that people. The Cimbri appointed Ambaſſadors to carry back their anſwer, which was conceived in very moderate terms. They proteſted, "That they reſpected the Roman name: That they would not attack any nation in alliance with Rome: That they were going to quit Noricum, and ſeek a ſettlement in countries about which the Romans would have no reaſon to concern themſelves." The Conſul probably taking that for fear, which proceeded from the moderation of theſe Barbarians, who were more equitable than himſelf, believed it highly prudent to endeavour to ſurprize them. He gave their Ambaſſadors guides, who conducted them much round about, and marching his army by ſhorter ways, he advanced againſt the Cimbri, whom he found incamped near Norcia, a city which Freinſhemius believes to be Goricum in Carinthia. His ſtratagem proved unſucceſsful. The Barbarians, though ſurprized and attacked in the night, found refuge in their courage. The Conſul was repulſed with loſs; and if a great rain had not put an end to the battle, the Roman army would have been entirely cut in pieces. The victors did not take any advantage of their ſucceſs; and, for what reaſon cannot be ſaid, turned towards Gaul and the Helvetii.

Strab. l. iv. p. 193. & l. vii. p. 293.

The latter, now the Swiſs, far different then from what they are in theſe days, were very rich, according to Strabo, and had great quantities of gold. But as they ſaw their new gueſts were become richer than themſelves by the plunder of ſo many countries, they liked the trade, particularly the Tigurini (the people of Zurich), and the Tugeni (thoſe of Zug). The natives of thoſe two cantons joined the Cimbri: but it is hard to fix the date of this junction, which might perhaps not have taken place till ſome years after the defeat of Carbo, as we ſhall ſoon ſay.

A. R. 643.

We loſe ſight of the Cimbri for three or four years at the end of which they appear again in Gaul, demanding lands of the Conſul Silanus to ſettle in; and on that condition, offering to ſerve the Romans in war.

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They were far from accepting thoſe offers. The Cimbri therefore reſolved to obtain that by force which had been refuſed to their requeſt. They attacked the Conſul, and gained a ſecond victory over the Romans.

Two years after, the Tigurini croſſed the country of the Allobroges, in order to join the Cimbri, and defeated another Roman army, commanded by the Conſul L. Caſſius. That Conſul fell in the battle himſelf, with L. Piſo, his Lieutenant, a perſon of Conſular dignity. The other Lieutenant, whoſe name was C. Popilius, could not ſave the remains of this unfortunate army but at the expence of its honour. Their lives were granted them only, upon condition of paſſing under the yoke, and leaving all their baggage at the diſcretion of the enemy. Popilius, at his return to Rome, was accuſed before the people, and prevented an inevitable condemnation by baniſhing himſelf. A. R. 645.

So many repeated defeats were only the prelude of one more horrid and bloody, which the Romans ſoon ſuſtained from the ſame enemy, and of which a more particular account is come down to us in the ancient monuments.

The principal author of the dreadful diſaſter I am going to relate, was Servilius Cæpio, a raſh, arrogant man, and of ſuch avidity, that to enrich himſelf, peculation and ſacrilege were nothing with him. Being Conſul the year after the defeat of L. Caſſius, and going into Gaul againſt the Cimbri, he ſignalized the beginning of his military expeditions by plundering the gold of Toulouſe, a place ſo famous in the ancient world. The inhabitants of that city, who were before the allies of the Romans, having been drawn into a revolt by the promiſes of the Cimbri, ſurprized and laid the Roman garriſon in chains. Cæpio marched againſt them, and with the aſſiſtance of intelligence in the place, entered Toulouſe, and abandoned it to be plundered by the ſoldiers. Nothing was ſpared: all things ſacred and profane were A. R. 646.

the prey of the troops. But the moſt extraordinary part of the booty was an immenſe weight of gold taken out of the temples, and a lake near the place, which is ſaid to amount to at leaſt the value of fifteen thouſand talents, or about two millions two hundred and fifty thouſand pounds ſterling.

This gold, authors ſay, was originally taken out of the temple of Delphi, and brought from thence to their own country by the Tectoſages, who accompanied Brennus in that expedition. But the moſt judicious writers conſider this tradition as a fable. According to them, the Gauls being very rich, little addicted to luxury, and extremely ſuperſtitious, conſecrated treaſures to their gods, and often depoſited them in lakes and marſhes, into which they threw their gold and ſilver in ingots. And when the Romans became maſters of the country, on ſelling or letting theſe lakes to particulars, it frequently happened that thoſe who bought or farmed them, found golden bars in them.

Poſidon. apud Strab. l. iv. p. 188.

Cæpio, when poſſeſſed of ſo rich a prey, converted the greateſt part of it to his own uſe. Very little of it was brought into the publick treaſury of Rome. And Oroſius even tells us, that the Conſul having firſt ſent away theſe treaſures under a guard to Marſeilles, ſecretly cauſed that guard to be aſſaſſinated on their way, and in that manner ſeized the whole. He was ſeverely puniſhed, as we ſhall ſee in the ſequel, for his horrid avidity. His whole future life was one continued ſeries of misfortunes: and all thoſe who had ſhared in the ſacrilege came to ſuch miſerable ends, that to expreſs a man ſupremely unfortunate, it became a proverb to ſay, he had ſhared in the gold of Toulouſe.

Oroſ. v. 15.

Aul. Gell. iii. 9.

It had been a part of wiſdom in the Romans to have recalled ſuch a General after the expiration of his year, and to make choice, againſt ſuch formidable enemies, of Conſuls capable of oppoſing them. Regard was had neither to the one nor the other of thoſe objects, at once ſo important and ſo ſimple. Cæpio was continued in the command in Gaul: and as to the

the election of Conſuls, the caprice of the multitude decided it. Amongſt others, two candidates who merited the whole eſteem and confidence of the Roman People offered themſelves; theſe were Rutilius and Catulus. Rutilius was the moſt virtuous citizen of Rome, and after having ſerved under Scipio Africanus at the ſiege of Numantia in his youth, he had formed himſelf entirely in the art military under Metellus Numidicus, whoſe Lieutenant-General he had been with Marius. Catulus was infinitely deſerving in every reſpect, and we ſhall ſee him in the ſequel ſhare the glory of the laſt victory over the Cimbri with Marius. Rutilius was actually elected Conſul; but a perſon was preferred to Catulus, whom Cicero deſcribes in four words, that he was not only * of mean birth, but had neither merit, genius, nor morals. His name was Cn. Mallius. And as if chance had been of intelligence with the caprice of the multitude, of the two provinces allotted to the Conſuls, the one in Italy, the other in Gaul, Rutilius had the firſt; and the ſecond, which related to the Cimbri, fell to Mallius, who was accordingly ſent into Gaul with a new army to ſupport Cæpio. Thus of the two armies ſent by the Romans againſt the Cimbri, the one had a raſh man at its head, and the other one of no capacity. And to compleat the misfortune, diſcord aroſe between them.

P. Rutilius.
Cn. Mallius. A. R. 647. Ant. C. 105.

Never had union between Generals been more neceſſary than in the preſent conjuncture of the Roman affairs: but never were Generals ſo ill-ſuited to them. Cæpio was proud and contemptuous: and Mallius was unfortunately too worthy of contempt. He was however Conſul in office, and in that quality had a

* Non ſolùm ignobilem, verùm ſine virtute, ſine ingenio, vitâ etiam contemptâ & ſordidâ. Cic. pro Planc. n. 12.

right

A.R. 647. Ant. C. 105. right to take place. But the Proconſul regarding only the unworthineſs of the perſon, and not the authority of his office, would do nothing in concert with him. He pretended that his was a ſeparate province, and placed the Rhone between him and the Conſul.

This was the worſt conduct he could have choſen; and he had ſoon reaſon to be convinced of it. M. Aurelius Scaurus, a perſon of Conſular dignity, and one of the Conſul's Lieutenants, was defeated by the Barbarians, with a conſiderable detachment, which he commanded, and remained priſoner in the hands of victors. Immediately after this blow, the Conſul ſent to deſire Cæpio to join him as ſoon as poſſible with his army. The latter brutally anſwered, that each of them ought to keep within his own province for the defence of it. But ſoon after, fear, leſt the Conſul ſhould have all the glory of the victory, which he conſidered as certain, induced him to change his opinion. He therefore approached the Conſul, but did not encamp in the ſame place, and had no communication with him. He placed his camp between the army of Mallius, and that of the Cimbri, in order to be ready to attack the enemy firſt, and not to divide with any one the glory of their defeat.

When the Cimbri were apprized of the junction of the two Roman armies, ſuppoſing it the effect of a reconciliation, for they had been informed of the diſcord that prevailed between the Generals, they ſent Deputies to the Romans to treat of peace. Cæpio, into whoſe camp they firſt entered, ſeeing that it was not to him, but to the Conſul, they had orders to addreſs themſelves, conceived a mean and ridiculous jealouſy of it, and far from giving them pacific language, was very near ordering them to be put to death.

This violent manner of treating the Deputies, was extremely condemned in his camp. What fatal conſequences the diſſenſion of the Generals might have

were perceived; and it was apprehended, that it might occaſion the entire deſtruction of the two armies. Such ſtrong remonſtrances were made in conſequence to Cæpio, that he repaired, in a manner through force and againſt his will, to the Conſul's camp. The council of war was aſſembled, to deliberate upon the meaſures it was proper to take. Nothing was concluded in it. The whole time paſſed, on both ſides, in diſputes, reproaches, and groſs affronts. The two Generals parted more embroiled than ever. A. R. 647. Ant. C. 105.

So wretched a conduct had the deſerved iſſue, and drew upon the Romans the moſt horrible defeat they had ever ſuſtained. No particulars of this bloody action are come down to us. We even do not know exactly the place where it happened; which we may however conjecture not to have been far from Orange. We are only told by ſome abridgers, that the ſlaughter was dreadful, and almoſt incredible. The two armies were entirely cut to pieces, and both camps were taken. The number of the ſlain is ſaid to have amounted to fourſcore thouſand ſoldiers, as well Romans as allies, in which are included two ſons of the Conſul, and forty thouſand ſervants and followers of the army. Some affirm, that only ten perſons eſcaped to carry the news of the ſlaughter. The Cimbri before the battle had made a vow, which was common enough in thoſe days with the Gauls and Germans, to ſacrifice to the gods, and to deſtroy all that ſhould fall into their hands. They punctually performed this barbarous vow. The gold and ſilver were caſt into the Rhone; the baggage was torn in pieces; the arms, cuiraſſes, and bridles, were broken; the horſes were drowned, and the men hanged upon trees. The famous Sertorius, who was then very young, and ſerved in Cæpio's army, had ſufficient ſtrength and courage to ſwim over the Rhone, armed as he was with his cuiraſs and buckler. Liv. Epit. 67. Oroſ. v. 16.

Eutropius and Oroſius mention four nations who ſhared in this victory; the Cimbri, Teutones, Tigu-

A. R. 647. Ant. C. 105. rini, and Ambrones. Plutarch aſcribes the principal glory of it to the laſt, who appear to have been one of the Swiſs Cantons. He ſpeaks of them, as of the braveſt and moſt terrible of the whole allied army. They were thirty thouſand in number.

After ſo great a victory, they deliberated on the neceſſary means for improving their advantage. They were not divided in opinion. It was agreed, that it was not proper to give the enemy time to look about them. The Barbarians, having ſo eaſily defeated thoſe they had attacked, reſolved not to ſtop, nor ſettle any where, till they had ruined Rome, and ravaged all Italy. They were however previouſly for conſulting Aurelius Scaurus, whom they had taken in the firſt battle. They cauſed him to be brought into the aſſembly, to which, according to the cuſtom of the nation, they repaired compleatly armed. The chains, which he had on his hands and feet, did not bind his tongue. Being aſked his thoughts concerning their deſign to paſs the Alps, in order to march againſt Rome, he endeavoured to divert them from it, as from a chimerical and impracticable project; exalting the power and greatneſs of the Romans, which no human force was capable of ſubduing. Boiorix, one of the Kings of that nation, a young and violent Prince, could not hear a captive continue ſpeaking with ſo much freedom and boldneſs, and thruſt his ſword through him.

It is not eaſy to conceive the alarm and conſternation which ſo terrible a loſs occaſioned at Rome, that threatened ſtill more dangerous conſequences. A dreadful cloud of Barbarians were at the very gates of Italy, three hundred thouſand men bearing arms, and followed by their wives and children, not ſo much to make war againſt Italy, as to ſubject it entirely, ſettle in its cities, poſſeſs its lands, and extirpate moſt of its inhabitants. Fame from the beginning had ſpread terrible things of their ſtrength, great ſtature, and valour, or rather ferocity, that bore down and ravaged all before them like an impetuous torrent:

rent: and the effects ſtill exceeded all that report had hitherto ſaid of them. A. R. 647. Ant. C. 105.

The firſt thing done was to recal Cæpio, who had not been aſhamed to ſurvive a diſaſter of which himſelf had been the principal cauſe. I ſhall make the different ſentences paſſed upon him a ſeparate article in the ſequel. As to the Conſul Mallius, nothing more is ſaid of him in hiſtory. Rutilius, his Collegue, was appointed to make new levies for oppoſing the Barbarians, and he perfectly acquitted himſelf of that commiſſion. For he not only raiſed ſoldiers, but exerciſed them with infinite care. He even introduced the cuſtom unknown before, of giving them maſters, to teach them to fence, in order that they might be capable of uniting addreſs with courage on occaſion. For this purpoſe he employed the maſters of the gladiators; thereby converting an art, that had hitherto been deſtined only to the inhuman diverſion of the multitude, to the utility of the Commonwealth. This practice was adopted by ſucceeding Generals: and in later times, mention is made of theſe fencing-maſters for the ſoldiery, under the name of *Campi doctores*. The good diſcipline eſtabliſhed by Rutilius in his army, may alſo be judged from the conduct he obſerved in reſpect to his own ſon. Inſtead of keeping him about his own perſon, with greater conveniences and diſtinction, he made him only a private legionary ſoldier; in order that he might form himſelf for commanding by learning to obey in the loweſt rank of military life. It was in this manner that Rutilius prepared ſoldiers for Marius, and conquerors for the Cimbri. For it was this army that Marius, when appointed to act againſt the Cimbri, choſe, in preference to that with which himſelf had conquered Jugurtha.

We have already ſaid, that Marius, whilſt ſtill in Africa, and only three years after he had been elected Conſul for the firſt time, was again raiſed to that ſupreme dignity, though it was not the cuſtom to elect an abſent perſon, and the laws required an interval of ten

years between a firſt and ſecond Conſulſhip. But on this occaſion the publick utility took place of cuſtom and the laws. F. Flavius Fimbria was given him for his Collegue.

A. R. 648. Ant. C. 104. C. MARIUS II.
C. FLAVIUS FIMBRIA.

The Romans, always wiſe in adverſity, had at laſt taken the moſt effectual meaſures againſt the ſtorm that threatened them. But thoſe meaſures would perhaps have been too late, if Providence, that was watchful for the preſervation of Rome, and which had deſtined that city to be the capital, and miſtreſs of the univerſe, had not taken care early to remove the danger. The time was not yet come when the Roman empire was to be the prey of Barbarians. We left the Cimbri in the reſolution of marching againſt Rome: and if they had immediately put that reſolution in practice, every thing was to be feared. But, without any known reaſon, they turned their backs upon Italy, and after having ravaged the whole country between the Rhone and the Pyrenees, they entered Spain. The Romans in conſequence had time to recover from their terror, and Marius to exerciſe and form his ſoldiers, to enure them to labour, to exalt and confirm their courage, and above all to make himſelf acquainted with them, and to accuſtom them to his diſcipline. For inſtead of the indulgence and lenity aſcribed to him by Salluſt, in reſpect to the troops of Numidia, as we have ſeen, Plutarch deſcribes him here as very rigid with regard to thoſe now under his command. "His rough and fierce demeanour," ſays he, "which they could not endure at firſt, and his inflexible auſterity in puniſhing, as ſoon as they were accuſtomed to rule and obedience, ſeemed not only juſt, but ſalutary. They grew familiar with all that was terrible in him; the ſharpneſs of his anger, the amazing roughneſs of his voice, the haughtineſs of his looks, and the ſtern air of his countenance;

Plut. in Mar.

countenance; and conceived all this ought not to give them, but his enemies, terror." A.R. 648. Ant. C. 104.

An action of juſtice and equity much conciliated every body in his favour. His nephew, C. Luſius, who ſerved under him as a legionary Tribune, an officer of corrupt manners, having at different times uſed great ſollicitations to debauch a young ſoldier under his command, and finding him always inflexible, had at length recourſe to violence. * The ſoldier, chuſing rather to expoſe himſelf to the danger of death, than to conſent to ſuch an infamous crime, ran Luſius through with his ſword. He was cited before Marius, as deſerving death for killing his officer. When that General had heard what had paſſed from the ſoldier's own mouth, for nobody had dared to take upon him his defence, and had been aſſured by the evidence of ſome witneſſes, that Luſius more than once had made the young man infamous propoſals, he cauſed one of the crowns, uſually given as a reward of the moſt glorious actions, to be brought, and crowned the ſoldier with it himſelf, exhorting him always to retain the ſame ſentiments of probity and honour. Plut. in Mar.

This was however not a year of entire leiſure to the Romans in reſpect to military expeditions. But the accounts of them come down to us are ſo little circumſtantial, that all we know of them is, that Sylla, who was then Marius's Lieutenant, beat the Tectoſages, a people on the banks of the Garonne, of whom we have ſpoke before, and took their General Copillus priſoner. Plut. in Syll.

I think we may aſcribe to this or the enſuing year the new canal of the Rhone, made by Marius, though Plutarch does not ſpeak of it till his fourth Conſulſhip. Such a work ſeems to agree with the leiſure the Barbarians gave him at firſt. As he had moſt of his pro-

* Interfectus ab eo eſt cui vim afferebat. Facere enim probus adoleſcens periculosè, quam perpeti turpiter maluit. Atque hunc ille vir ſummus [Marius] ſcelere ſolutum, periculo liberavit. Cic. pro Mil. 18.

viſions

A. R. 648. Ant. C. 104. viſions from the ſea by the Rhone, he obſerved that the entrance of that river was difficult, becauſe the mouths of it were full of mud, and vaſt quantities of ſand, brought thither by the ſea. He therefore cauſed a new canal to be dug by his ſoldiers, which beginning at the Rhone below Arles, croſſed the plain of Crau, as far as the village of Foz, the name of which is a monument ſubſiſting of that ancient work, which the Romans called Foſſa Mariana, and which probably ended at the tower of Bouc or Embouc. After the victory, Marius abandoned the canal to the Maſſylii, (people of Marſeilles) in reward for their good and faithful ſervices. That people drew a conſiderable revenue from it during ſome time. But it has been again filled up with ſand for many ages. Honorius Bouche, in his chorography of Provence, ſays, that the Galejon is a remainder of it. This is a lake which empties itſelf into the ſea, and formerly communicated with the Rhone by a canal called Bras mort: for fourſcore years paſt it has been ſhut up with large paliſades.

Plut. in Mar. The time for electing new Conſuls being arrived, every body were again inclined in favour of Marius. The Barbarians were expected, and the Romans ſeemed determined to fight thoſe terrible enemies only under his command, and with him at their head. He was accordingly elected Conſul by the people for the third time, and the Senate again decreed the province of Gaul to him, contrary to cuſtom, and without drawing lots; and that with the advice of Scaurus, the Metelli, and all the Nobility. In great dangers the intereſt of the publick prevailed over private reſentment.

A. R. 649. Ant. C. 103.

C. MARIUS III.

L. AURELIUS ORESTES.

The Cimbri did not return ſo ſoon as was expected, and Marius's third Conſulſhip paſſed without any conſiderable event. Sylla however acquired new glory in

in it. He ſerved this year as a legionary Tribune, A. R. 649. Ant. C. 103.
and brought over the numerous nation of the Marſi to the Romans, who muſt have been a German people in alliance with the Cimbri, and other Barbarians.

Sylla's glory, which continually increaſed, gave Marius ſtill more and more jealouſy. Seeing therefore that that General ſuffered him with pain, gave him no longer any honourable commiſſions, and on the contrary oppoſed his advancement on all occaſions, he quitted him, and attached himſelf to Catulus, who the following year was elected Marius's Collegue in the Conſulſhip.

The Cimbri were not ſucceſsful in their expedition in Spain. The Celtiberians defeated them. But their loſs could not have been conſiderable. They returned to join the Teutones, and prepared at length to attack Italy with their whole force. Liv. Epit.

Before the Barbarians were rejoined, Marius was elected Conſul for the fourth time. His Collegue, L. Aurelius, being dead, he was obliged to go to Rome to preſide in the aſſemblies, leaving his army under the command of Manius Aquillius. Many perſons of great merit ſtood for the Conſulſhip: but Saturnius, Tribune of the people, of whom we ſhall ſoon have occaſion to ſpeak largely, having been gained by Marius, endeavoured in all his harangues to induce the People to elect him Conſul for the fourth time. As Marius affected difficulty, and declared that he could accept that office no more, Saturnius, aſſuming a tone of reproach and indignation, called him traitor to his country, for refuſing the command of the army in ſo preſſing a danger. Every body perceived the game they played, or rather comedy, in which Marius acted the moſt unworthy part in the world for a man of honour, and the moſt capable of drawing univerſal contempt upon himſelf. But there was occaſion for a General of experience and reputation. Marius was accordingly elected Conſul for the fourth time, and the ſame Catulus was given

him for Collegue, to whom Cn. Mallius had been preferred three years before. He was, as we have ſaid before, a man of true merit, and had abundance of credit with the Nobility, without being diſagreeable to the People.

A. R. 650. Ant. C. 102. C. MARIUS IV.
Q. LUTATIUS CATULUS.

The Conſuls, who had prepared every thing for taking the field, ſet out from Rome as ſoon as they had received advice that the Barbarians were upon their march. The latter, having divided their troops, advanced by two different routes. The Cimbri took theirs through Noricum, (Bavaria and Tirol) to enter Italy by the Trentine. The Teutones and Ambrones propoſed croſſing the Roman province of Gaul, (Dauphiné and Provence) and to turn off through Liguria. The Conſuls, upon this news, ſeparated alſo. Catulus poſted himſelf on the ſide of the Norican Alps, to wait there for the Cimbri; and * Marius moved to encamp at the confluence of the Iſara and the Rhone, to oppoſe the Teutones and Ambrones.

The Cimbri had a long march, and nothing is ſaid of them till the approaching year. But the Teutones were ſoon in view of Marius. Their troops were innumerable, and occupied a great extent of country. They raiſed cries, or rather howlings, capable of ſtriking with terror, and every day offered Marius battle, with great inſults, and reproaching him with abject cowardice. All their inſults and bravadoes did not move him. He kept cloſe within his camp, ſolely intent for the preſent upon checking the ardour of his troops, who expreſſed incredible deſire and impatience to come to blows with the enemy. To accuſtom them to ſuſtain the terrible aſpect of the Barbarians

* The exact date of all theſe movements of the Barbarians and Conſuls is not certain. It is hard to ſay whether they are to be aſcribed to the beginning or middle of the campaign. We only relate facts in the groſs, having no more of them.

and their brutal and ſavage tone of voice, he ſent different bodies of his army, one after another, to the intrenchments of his camp, and made them ſtay there a conſiderable time; convinced that novelty adds much to objects though terrible in themſelves, and, on the contrary, that habit makes the moſt hideous things familiar. A. R. 650. Ant. C. 102.

It was not without pain, that they ſaw themſelves kept in inaction, conſidering theſe long delays as reproaches of cowardice. In order to quiet them, he ſaid he did not act in this manner through a diſtruſt of their courage, but that in conſequence of ſome oracles from the gods, he waited the occaſion and place favourable for victory. For he carried every where with him a Syrian woman, called Martha, who paſſed for a great propheteſs. She was carried about in a litter with great honours and reſpect; and he took the order for the ſacrifices from her. She wore a large purple mantle faſtened with claſps, and carried a pike in her hand wrapt round with wreaths and bunches of flowers. The ſtupid multitude, who would ſcarce ſubmit to the authority of ſo great a General as Marius, ſuffered themſelves to be governed by a female ſoothſayer.

One of the officers of the Teutones, remarkable for the greatneſs of his ſtature, and the glitter of his arms, challenged Marius to a ſingle combat. The Conſul anſwered, "That if he had ſo great a deſire to die, he might go and hang himſelf." Marius knew too well, that it is not for the glory of a General to pique himſelf upon the bravery of a ſoldier.

The Teutones ſoon grew weary of repoſe, for which they were not made. They endeavoured to force Marius in his camp: but being overwhelmed with a ſhower of darts, and having loſt great numbers of men, they reſolved to continue their march, aſſuring themſelves, that they ſhould croſs the Alps without difficulty or oppoſition. Accordingly they ſet forwards, and in a manner paſſed in review before

A. R. 650. Ant. C. 102.

the Roman camp. Their dreadful numbers were then known better than ever, from the length of time their march continued: for they were ſix whole days filing off before Marius's intrenchments in continual motion. As they paſſed very near the Romans, they aſked them ſneeringly, "Whether they had any news to ſend their wives? that they ſhould ſoon be capable to give them an account of their huſbands."

When the Barbarians were entirely paſſed, and a little advanced on their way, Marius decamped and followed them in the rear, always poſting himſelf near them, and chuſing places ſtrong by nature, and intrenching, that he might have nothing to fear in the night. The Barbarians, who continued moving on, came to the city of Aix, from whence they were not far from the Alps. They fixed their camp here near a little river. This was probably the river Arc, which runs a quarter of a league from Aix. Marius reſolved to give them battle here, and poſted himſelf in a very advantageous place; but where it was not eaſy to get water. * It is not known, ſays Plutarch, whether he did this expreſsly to enliven the courage of his troops, by laying them under the neceſſity of going to fetch it at the little river in ſight of the Barbarians; or whether his ability gave the fault he had committed a turn to the advantage of his army. However that were, it is certain this circumſtance occaſioned the victory. When the ſoldiers complained of wanting water, the Conſul pointing to the little river cried out, "There's water before you; but you muſt "pay blood for it." On theſe words, all raiſing their cries, replied, "Lead us then againſt the enemy "whilſt our blood is not exhauſted and dried up by "thirſt." Marius refuſed, telling them they muſt firſt fortify their camp. In this he followed the ancient maxim of the Romans, as we have obſerved in our account of the conduct of P. Æmilius in the w

* Conſultò-ne id egerit Imperator, an errorem in conſilium verte dubium: certè neceſſitate aucta virtus, cauſa victoriæ fuit. Fl iii. 3.

W

with Perſeus. The ſoldiers obeyed, and fell to work upon their intrenchments: and in the mean time, the ſervants, having armed themſelves as they could, went to bring in water. The Barbarians were encamped on the other ſide of the river. A. R. 650. Ant. C. 102.

At firſt only a ſmall number of the enemy attacked theſe Roman ſervants; for it was exactly the hour when ſome were at dinner after bathing, and others were ſtill in the baths; the place abounding with ſprings of hot water. It was no longer in Marius's power to keep in his ſoldiers, who were in great fear for their ſervants. Beſides which, the Ambrones, who were the beſt troops of the enemy, roſe on a ſudden, and ran to their arms. Their bodies were full and heavy with the good cheer they had made; but their reſolution was the greater in effect; and being in higher ſpirits from the wine they had drank, they advanced not like Barbarians, and with furious emotions, but in good order, ſtriking their arms in time, and with great cries repeating their own name, Ambrones, Ambrones, either to encourage one another, or to terrify their enemies, by letting them know whom they had to deal with. It accidentally happened, that the Ligurians marched at the head of the Roman army. Now the ſame name, Ambrones, was anciently that of their nation: They therefore immediately began to repeat it on their ſide, ſo that the field reſounded with it from both armies. The Ambrones had the river to paſs, which broke their order. Before they could draw up again, the Ligurians charged their front with great fury, and began the battle. The Romans came on at the ſame time, and from the advantageous poſts they occupied, fell ſo rudely on the Barbarians, that they bore them down before them. Moſt of them were either killed, or crowded each other into the river, which was ſoon filled with blood and dead bodies. The Romans purſued thoſe who fled, paſſing the river with them, and puſhed them quite to their camp.

A. R. 650. Ant. C. 102.

But here a new kind of enemies preſented themſelves againſt both ſides. The wives of the Ambrones came out againſt them with ſwords and axes, gnaſhing their teeth with rage and grief, and diſcharged their fury equally on thoſe who fled, and their purſuers; upon their huſbands, whom they called traitors, and upon the enemy. They threw themſelves into the midſt of the preſs, ſeized the ſwords of the Romans with their naked hands, tore their ſhields from them, received wounds, ſaw themſelves cut to pieces without being diſcouraged, and to their laſt breath ſhewed a truly invincible ſpirit. The Romans went no farther, and being ſtopped either through the boldneſs of theſe women, or the coming on of night, after having cut moſt of the Ambrones to pieces, they retired.

Their army was not heard to reſound with ſongs of victory, as was natural after ſuch great ſucceſs. They paſſed the whole night in terror and anxiety: for their camp was neither ſecure, nor intrenched. The greateſt part of the Barbarians had not fought: but their grief was not leſs than that of the Ambrones who had eſcaped the ſlaughter. During the night they all raiſed dreadful cries, which did not ſeem like the cries and groans of men, but like the roaring and howling of beaſts. Marius expected to be attacked every moment, and extremely apprehended the tumult and diſorder of an action that was to paſs in the night. The Barbarians did not ſtir that night nor the next day; but paſſed that whole interval in preparing for a battle.

In the mean time, Marius knowing that beyond the camp of the Barbarians were hollow ways covered with wood, he ſent Marcellus thither with three thouſand foot, to lie in ambuſh, and to take the enemy in the rear, as ſoon as the battle began. The reſt he ordered to refreſh themſelves with food and repoſe. At day-break next morning he drew them up in battle upon the eminence before his camp, and made his cavalry advance into the plain. The Teutones did not ſtay till the Roman infantry alſo came

down

down, in order to fight it with equal advantage as to the ground; but tranſported with rage, they took their arms, and ran on to attack it on the eminence. Marius ſent principal officers on all ſides, to order his troops to wait for the enemy without moving, and as ſoon as they ſhould advance within length, to diſcharge their darts, to draw their ſwords, and to puſh them back with their ſhields: for the place being a declivity, he thought with reaſon, that the ſtrokes given by the Barbarians would neither have force, nor their cloſe order be maintained, as they would totter, and have no firm footing, in effect of the deſcent and unevenneſs of the ground. A. R. 650. Ant. C. 102.

He did not content himſelf with giving theſe orders: but he added his own example, being accuſtomed to fight in perſon as well as to command. The Romans accordingly facing the Barbarians, and ſtopping them ſhort, as they endeavoured to aſcend, the latter were preſſed and obliged to give way by degrees, and to regain the lower ground. The firſt battalions began to rally and draw up in battle; but thoſe behind were in confuſion and diſorder. For Marcellus, intent upon all that paſſed, on the firſt cries of the charge, which reſounded as far as the adjacent hills, under which he lay in ambuſh, had ſeized that moment for ſetting out, and had fallen impetuouſly with great cries upon the latter in the rear, cutting them to pieces. Theſe, puſhed with ſuch fury, carried the diſorder with them into the ranks in front. In an inſtant their whole army was in confuſion. They could not long ſuſtain ſo vigorous an attack before and behind, and quitted their order and fled. The Romans purſued them, and killed and took above an hundred thouſand. The Epitome of Livy ſays, that there were two hundred thouſand killed, and ninety thouſand made priſoners: which ſeems incredible.

The ſpoils taken were immenſe: and the whole army unanimouſly made Marius a preſent of them: that preſent, great and magnificent as it was, ſeemed ſtill below the ſervice he had done on ſo dangerous an occaſion. Diod. ap. Valeſ.

A. R. 650. [Ant. C. 102.

caſion. He made a moſt generous uſe of it; and deſiring to reward ſuch brave troops, he cauſed this booty to be ſold to them at a very low price; chuſing rather to act in that manner than to give it them as a mere donation; no doubt that he might not ſeem to ſet little value on the preſent they had made him; and beſides, that his liberality, not ſeeming without advantage to himſelf, might not give thoſe pain, who had the benefit of it. This conduct acquired Marius the univerſal eſteem in the higheſt degree poſſible; and the Great united in applauding him with the People.

As to the arms taken from the Barbarians, Marius, immediately after the battle, choſe out the richeſt and leaſt damaged of them, and ſuch as were fitteſt to adorn his triumph. Theſe he ſet apart, and having cauſed all the reſt to be laid upon a great pile, he made a magnificent ſacrifice of them to the gods. His whole army was drawn up around this pile, crowned with laurel, and himſelf in a robe of ſtate, attended in the moſt auguſt manner, took a lighted torch, and lifting it up towards heaven with both his hands, he was going to ſet fire to the pile, when couriers appeared riding full ſpeed towards him.

When they were near Marius, they diſmounted, and running to ſalute him, declared that he was Conſul for the fifth time, and delivered him letters that notified his election. This was a new ſubject of joy: and the whole army, to teſtify the pleaſure it gave them, raiſed great cries, which they accompanied with the warlike claſhing of their arms; and all the officers adorned the head of Marius with new crowns. At this moment he ſet fire to the pile, and compleated the ſacrifice.

C. Marius

C. MARIUS V. A. R. 651.
M. AQUILLIUS. Ant. C. 101.

The Conſul Aquillius was ſent into Sicily againſt the revolted ſlaves. We ſhall ſpeak of that war after we have made an end of what regards that of the Cimbri. Marius marched againſt thoſe Barbarians, to compleat what he had ſo gloriouſly began: and Catulus was alſo continued in command with the title of Proconſul.

The Cimbri were at length arrived near the Alps, on the ſide of the Trentine, and were preparing to enter Italy. Catulus, who had at firſt ſeized the eminences to ſtop the Barbarians there, apprehended, that being obliged to divide his army into many poſts, he ſhould be too much weakened in effect. He therefore reſolved to move down into Italy, placed the Atheſis (the Adige) in his front, and formed two camps on the banks of that river to defend the paſs, the greateſt on this ſide, and the other on that where the Cimbri arrived: and for the communication of theſe two camps, he threw a bridge over the Adige, which enabled him to ſend aid wherever the enemy might attack his troops. Thoſe Barbarians had the Romans in ſuch contempt, and were ſo full of ſenſeleſs arrogance, that only to ſhew their ſtrength and boldneſs, without any uſe or neceſſity, they expoſed themſelves naked to the ſnow, climbed up to the tops of the mountains acroſs heaps of ice and ſnow, and when they were got up, put their bucklers under them, and in that manner abandoned themſelves to the declivity of thoſe mountains, ſliding down the rocks, which were extremely ſteep, and had terrible bogs and abyſſes at their bottoms.

At length, after having encamped near the Romans, and ſounded the river, when they found they could not paſs it, they undertook to fill it up; and rooting up the largeſt trees, looſening enormous pieces of the rocks, and breaking down great maſſes of earth,

A. R. 651. Ant. C. 101. earth, they threw them into the river, and thereby dammed up its courſe. And in order to looſen the piles, which ſerved as a foundation for the bridge of the Romans, they threw things of great weight into the river, which being rapidly carried away by the current, ſtruck rudely againſt the bridge, and ſhook it in ſo violent a manner, that it could not long reſiſt them.

Moſt of the Roman ſoldiers were ſeized with ſuch terror from theſe efforts of the enemy, that they abandoned the great camp, and retired. Catulus on this occaſion acted with a conduct that Plutarch praiſes; but which is however ſuſceptible of a conſtruction not much in his favour. Seeing that he could not prevent his people from flying, he put himſelf at their head, in order to ſave the honour of the nation, and that it might not be ſaid, the Romans had fled before the Cimbri, but might rather ſeem to have followed their General. Catulus here then ſacrificed his own glory to the honour of the Roman name: and would merit praiſe, if he could have done no better. But it would certainly have been of more conſequence, to have reanimated his troops, than to have ſaved their honour in ſo precarious a manner: and I do not believe, that Marius on the like occaſion would have been willing to deſerve the like praiſe. And indeed Plutarch ſays elſewhere, that Catulus was no great warrior.

Plut. in Syll.

Thoſe who were in the little camp on the other ſide of the river, though more expoſed, ſhewed more reſolution. They defended themſelves with ſo much vigour, that the Barbarians admiring their valour, permitted them to retreat, by granting them an honourable capitulation. The Centurion Petreius did more. As the legion, in which he was Captain, was ſurrounded, he exhorted it to open themſelves a way through the enemy's camp. The Tribune, who commanded in chief, wavered. Petreius killed him with his own hands, put himſelf at the head of the legion, and extricated it out of danger. So brave an action

Plin. xxii. 6.

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was rewarded with the crown * Obſidionalis; a more diſtinguiſhed honour, as he was the firſt Centurion to whom it had ever been granted. A. R. 651. Ant. C. 101.

I muſt not omit here the ſad fate of Scaurus's ſon. That young man, who ſerved in the cavalry, loſt courage on the ſight of danger, and fled. When he returned to Rome, his father, whoſe ſeverity roſe to cruelty, having forbade him to appear in his preſence, he was ſo ſtruck with ſhame and confuſion, that he killed himſelf.

The Barbarians, who were now maſters of the flat country, ravaged it without interruption. Florus affirms, that had they marched directly to Rome, they might have cauſed as great diſaſters there as the Gauls had done long before on the like conjuncture. But, in order to wait for their companions, as had been agreed before they ſeparated, they continued in this fine country, with which they were charmed. That agreeable abode, where they had every thing in abundance, became fatal to them, in enervating their bodies, and ſlackening their courage by pleaſures and luxury, to which they abandoned themſelves with the greater ardour and avidity, as they were the leſs accuſtomed to them. Flor. iii. 3.

In this extremity, Marius was recalled to Rome. He was received there with great marks of joy. The honour of a triumph was decreed to him: but he refuſed to accept it, and deferred it, till he ſhould have terminated the war, as he ſaid, by new ſucceſſes, ſtill more glorious than the firſt. It was but juſt for him not to deprive ſoldiers, who had ſo great a ſhare in the exploits, by which he had deſerved it, of their ſhare in that glory; and at the ſame time he raiſed every body's expectation, by ſpeaking of his victory as of a thing certain. He immediately ſet out to join Catulus, and made his troops advance from Gallia Narbonnenſis, where he had left

* This crown was made of turf, and was given by the ſoldiers themſelves, who had been extricated out of danger, to their leader.

them,

A. R. 651. Ant. C. 101. them, after the defeat of the Teutones. It appears, that Catulus had placed the Po between him and the Barbarians, as it is ſaid, that Marius, when he joined him, paſſed that river, and that the battle was fought near Vercellæ.

Theſe two Generals were very unlike each other. Catulus was as obliging and affable, as Marius was ruſtick and haughty. This was the firſt riſe of their diſagreement. But Marius, notwithſtanding his infinite ſuperiority in point of military merit, was jealous even to meanneſs of all honour his Collegue might acquire. Of this we ſhall ſee proofs in the very battle.

Sylla alſo gave occaſion for this miſunderſtanding to increaſe, and grow more virulent. He had even quitted Marius to attach himſelf to Catulus, as we have ſaid before: and he even did a ſignal ſervice in the preſent conjuncture. Though the country was ruined, he found means to introduce plenty in the army of Catulus, and to ſuch a degree, that Marius's troops thought themſelves happy in being relieved by this aid, from the great ſcarcity they were in. Marius was only the more mortified from having this obligation to an enemy. However, theſe diviſions did not break out then. The common danger united minds ſo diſpoſed for diſcord, at leaſt for a time.

The Barbarians were at no great diſtance from the Romans. But they deferred giving battle, continually expecting the Teutones with impatience, whether they did not know, or, which is more probable, would not believe that they were defeated. Seeing that the two Generals had joined their forces, they ſent Ambaſſadors to Marius to demand lands and cities for themſelves and their brethren, ſufficient for their abode and ſupport. On being aſked who thoſe brethren were, of whom they ſpoke, they replied, the Teutones. The whole aſſembly ſet up a laugh, and Marius, in deriſion, told them: "From hence-"forth leave out your brethren, and be in no pain "about them. They have the land we have given "them,

" them, and will keep it to eternity." The Barbarians, enraged at the irony, told him in a threatening tone, that he ſhould repent that inſult, and would be puniſhed immediately for it by the Cimbri, and ſoon after by the Teutones when they arrived. " They " are arrived," retorted Marius, " there they are; " it would be want of courteſy in you to depart " without ſaluting and embracing your brethren." At the ſame time he ordered the Kings of the Teutones to be brought forwards in chains. A. R. 651. Ant. C. 101.

When the Ambaſſadors had made this report to the Cimbri, they reſolved to fight: and Boiorix, one of their Kings, at the head of a ſmall body of horſe, approaching the Conſul's camp, called upon him with a loud voice, and challenged him to chuſe his time and place for a battle; and to decide who ſhould remain maſters of the country. Marius anſwered, " That the Romans never took counſel of their enemies concerning battle: but however, that he would have ſo much complaiſance for the Cimbri." They accordingly agreed it ſhould be on the third day following this parley, and in the plain of Vercellæ, which ſeemed commodious to the Romans for the acting of their cavalry, and to the Barbarians for extending their numerous battalions.

Neither ſide failed to be at the place fixed. Both drew up in battle. Catulus had more than twenty thouſand foot under him, and Marius thirty thouſand. Catulus was poſted in the centre, and Marius's troops on both wings. We cannot give a certain detail of this great day. For we have no account of it but from Plutarch; and Plutarch himſelf cites only Catulus and Sylla, both Marius's enemies. Catulus had compoſed an hiſtory of his Conſulſhip, which Cicero praiſes, as * wrote with abundance of ſweetneſs, and in Xenophon's manner. Sylla had left memoirs of his life, which are often quoted by Plutarch. Theſe two works would be very authentick monuments, if

* Molli & Xenophonteo genere ſermonis. Cic. Brut. n. 132.

there

A. R. 651. Ant. C. 101.

there were no reaſon to fear, that enmity had often guided the pens of the writers. But on the other ſide, and this is preciſely what increaſes the uncertainty, Marius was ſo immoderately greedy of glory, and ſo violently jealous of every riſing merit near himſelf, that nothing aſcribed to him is hard to believe, which proceeds from that principle. Here, for inſtance, the diſpoſition of his troops, drawn up ſo as to ſurround thoſe of Catulus on both ſides, had no motive, according to Catulus and Sylla, but the hope he had conceived of falling upon the enemy, and breaking them with his two wings, and that the victory would be entirely owing to his ſoldiers, without the other army's having any ſhare in it.

The Cimbri gave their battalions as much depth as front, ſo that they formed an hollow ſquare, of which each ſide occupied the ſpace of thirty * ſtadia. Their cavalry, which conſiſted of fifteen thouſand horſe, came on in ſuperb equipages. All the riders had helmets in the form of open mouths, with muzzles of all kinds of ſtrange and terrible wild beaſts; which being ſet off with plumes formed like wings, and of prodigious height, made their perſons ſeem much the larger. They were armed with cuiraſſes of poliſhed ſteel, and covered with bucklers entirely white. Each of them carried two javelins to diſcharge at a diſtance; and when they had joined the enemy, they uſed great and heavy ſwords. In this attack, they did not advance to charge the Romans in front, but inclining to the right came on by degrees, with deſign to incloſe them between themſelves and their infantry, which was upon their left.

The Roman Generals immediately perceived that ſtratagem, but could not reſtrain their ſoldiers. One of them crying out, that the enemy fled, all the reſt inſtantly ran forwards to purſue them. In the mean time, the foot of the Barbarians advanced like the waves of the main ocean. Marius and

* About a league and a quarter.

Catulus, lifting up their hands towards heaven, vowed the one to ſacrifice an hecatomb to the gods, and the other to dedicate a temple to the fortune of that day. The entrails of the victims were no ſooner ſhewn to Marius, than he cried out, "The victory is mine." Nothing more is wanting to animate an whole army. A. R. 651. Ant. C. 101.

Marius however, if we may believe Sylla, had no ſhare in the victory: and his mean jealouſy was juſtly puniſhed by an accident he had not foreſeen. For when they were in motion to come to blows, ſo great a cloud of duſt aroſe, that both armies were covered with it, and could not be ſeen by each other. Marius, who had advanced firſt to charge with his troops, had the misfortune to miſs the enemy in the darkneſs that covered both armies, and having puſhed on a great way beyond their line of battle, he wandered long about the plain, before he knew where he was.

Fortune was as favourable to Catulus as it had been contrary to the Conſul. He came up with the Barbarians, and his army, in which Sylla had a diſtinguiſhed command, ſuſtained the whole weight of the battle almoſt alone. The heat of the weather, which was very great, and the ſun, which ſhone in the faces of the Cimbri, was much in favour of the Romans. For thoſe Barbarians, accuſtomed to ſupport the hardeſt froſts, and nurtured in cold places covered with woods, could not bear heat, but were in a manner melted, could not reſpire, and were only able to put their ſhields before their faces to cover them from the ſun. It was then the hotteſt time of ſummer, about the latter end of July.

The duſt was alſo of great uſe to the troops of Catulus, and ſerved very much to augment their boldneſs and confidence, by hiding the greateſt part of the enemy from them. For they were far from ſeeing their innumerable multitude. But each body having moved on briſkly to charge thoſe before it, they were engaged before the ſight of the enemy's whole army could ſtrike their eyes, and terrify them. Beſides which, they were ſo enured to labour and fatigue, that

A. R. 651. Ant. C. 101.

that according to Catulus, not a ſingle Roman was ſeen to ſweat, or gaſp for breath, though the heat was exceſſive, the charge very warm, and they had ran on as faſt as poſſible to the attack. Moſt of the Barbarians in conſequence, and the braveſt of them, were cut to pieces. For all thoſe in the front line, to prevent breaking their order of battle, were made faſt to each other by long chains affixed to their ſhields: A very ſingular and entirely odd precaution. All the reſt were broke, and drove back quite to their camp. In this extremity, the women of the Cimbri ſhewed no leſs courage, or, more properly ſpeaking, fury, than thoſe of the Ambrones, of whom we have ſpoke above. They got into their carriages, dreſt in black robes, and from thence killed thoſe who fled, ſome their huſbands, and others their brothers, or fathers. At laſt, ſeeing that it was impoſſible to withſtand the victors, they ſent Deputies to Marius, to demand of him, if not liberty, at leaſt a ſlavery that ſuited their ſex and virtue; offering to be ſlaves to the veſtals, upon condition of obſerving perpetual chaſtity like them. But being refuſed this grace, they abandoned themſelves to the moſt horrible deſpair. They took their little children, and either ſtrangled them with their own hands, or threw them under the wheels of the carriages and the horſes feet; and afterwards killed themſelves. Plutarch relates, that one was found hanging at the pole of a car, with her two children hung at her legs above the heel. It is eaſy to conceive, that hiſtorians have here gone beyond the marvellous, and ſought to amuſe with more than tragical accounts. For inſtance, who can believe what Plutarch tells us, that the Barbarians not finding trees to hang themſelves upon, tied themſelves by the neck, ſome to the horns, and ſome to the feet of oxen, and that afterwards, pricking them with goads, they made them drag and tear them to pieces, in order to periſh in the moſt miſerable manner in nature?

The number of the priſoners was however very great. It is made to amount to ſixty thouſand, and that of the dead to twice as many. Marius's ſoldiers took the baggage: but the ſpoils, enſigns, and trumpets, were carried into the camp of Catulus: which he urged as a proof that the Romans were indebted for the victory ſolely to him. It is not ſaid what part Marius took in this diſpute, which muſt have affected him ſo much. But on its growing warm between the ſoldiers of the two armies, the Ambaſſadors of Parma, who were upon the ſpot, were choſen to decide it. The ſoldiers of Catulus carried them to the field of battle to inſpect the dead, and ſhewed them, that they were all wounded by their javelins, which were eaſily and aſſuredly to be known, becauſe Catulus had taken care to have his name cut upon the ſtaves of all the miſſive weapons of his ſoldiers. If theſe facts are certain, it is not to be doubted, but that Catulus was the real conqueror of the Cimbri. But fame has decided otherwiſe. The * whole honour of this great day has remained to Marius: and Catulus is only known to the learned. And even when the event was quite recent, it was a ſufficient honour for him to be aſſociated as ſecond in the glory of Marius. A. R. 651. Ant. C. 101.

When the news of this victory arrived at Rome, it occaſioned a joy that cannot be expreſſed. The People eſpecially, who had long ſince declared for Marius, whom they conſidered in ſome ſenſe as their creature, did not believe they could render him ſufficiently great honours. They gave him the glorious title of Third Founder of Rome; judging that the ſervice he had juſt done his country, was not inferior to that Camillus had formerly rendered it in conquering the Gauls. At their meals, they offered the firſt-fruits to Marius, and made libations to him at the ſame time

* Hic (Marius) tamen & Cimbros, & ſumma pericula rerum
Excipit, & ſolus trepidantem protegit urbem.
Atque ideo, poſtquam ad Cimbros ſtragemque volabant
Qui nunquam attigerant majora cadavera corvi,
Nobilis ornatur lauro Collega ſecundâ. Juv. Sat. I.

A. R. 651. Ant. C. 101. as to their gods. They were for having him triumph alone: and even decreed him two triumphs, the one for his victory over the Teutones, and the other for that over the Cimbri. Marius behaved with moderation on this occaſion. He accepted only one triumph, and aſſociated Catulus in it with him. He perceived, that it would be unjuſt to deprive ſo illuſtrious a companion of an honour to which he had an undoubted right; beſides which, he apprehended that his own triumph would be interrupted by the troops of Catulus, if their General ſhould receive ſo cruel an affront. Among the priſoners led in triumph, King Teutobodus, who had been taken at the battle of Aix, was the moſt remarkable. He was of ſo exceſſively tall a ſtature, that he was higher than the trophies; which ſuppoſes, according to Gaſſendi, that he was above ten feet high. The thing is ſcarce credible.

Flor. iii. 3. Gaſſendi vit. Peireſc.

Sertorius continued diſtinguiſhing himſelf more and more, and acquired Marius's eſteem, and honourable rewards, for expoſing himſelf to go amongſt the Cimbri in the diſguiſe of a Gaul, and for having brought back intelligence of great uſe to his General.

Hiſtory alſo mentions two cohorts of Umbrians, all of whom Marius, in honour of their valour, rewarded with the freedom of Rome: and being afterward told, that the law did not admit of ſuch rewards, he anſwered at once agreeably and haughtily, that the din of war had prevented him from hearing the voice of the law.

Marius was deſirous in ſome meaſure to perpetuate his triumph by a practice ſingular and full of vanity. He affected afterwards to be ſerved in drinking with a cup like that aſcribed to Bacchus, the conqueror of India; ſo "that * every time he drank, ſays Valerius Maximus, he compared his victories with those of that fabulous conqueror." Such was the † pri

* Ut inter ipſum hauſtum vini, victoriæ ejus (Bacchi) ſuas victo compararet. VAL. MAX. iii. 6.

† C. Marius poſt victoriam Cimbricam cantharo potaſſe, Lib Patris exemplo, traditur, ille arator Arpinas, & manipularis im rator. PLIN. l. xxxiii. c. 11.

of this ploughman of Arpinum, this ſoldier of fortune. A. R. 651. Ant. C. 101.

Another monument of his victory, which was not ſubject to a like cenſure, was a temple which he erected, as Marcellus had done of old, to Honour and Virtue. But his rough and ſavage turn of mind, and his averſion for the arts and learning of the Greeks, appeared in the conſtruction of this temple; in which he would ſuffer no marble to be uſed, nor any ſtone but the moſt ſimple and common, without any ornaments either of ſculpture or painting; nor would he employ any but a Roman architect. And as he was obliged to exhibit Greek games and ſhews in the dedication of this temple, he entered the theatre, but only juſt ſat down, and went out the moment after. Catulus alſo built a temple, according to his vow made in the battle, to the fortune of that day. The inſcription placed upon the front were theſe words, *Fortunæ hujuſce diei*. Thus, though in the firſt intention it related only to the day of battle with the Cimbri, the inſcription was applicable to every day to eternity. Vitruv. Præf. l. vii. ut. Mar.

CONDEMNATION OF CÆPIO.

To * relate all that concerns the war with the Cimbri, I proceed here to inſert an account of the diſgraces of Cæpio, which I have been obliged to defer, to avoid breaking in upon the ſeries of facts.

I ſhall firſt obſerve, that Cæpio's perſon was always dear to the Senate, becauſe he was the firſt who attempted to remedy the wound C. Gracchus had given the authority of that order, in depriving the Senators of the adminiſtration of juſtice, and transferring it to the Knights. Cæpio, in his Conſulſhip, before he ſet out for the war againſt the Cimbri, paſſed a law, by

* This ſection concerning Cæpio, and the hiſtory of the ſecond war of the Slaves in Sicily, are the Editor's.

which it was ordained, that the bodies of the judges ſhould conſiſt half of Senators, and half of Roman Knights. It is eaſy to judge the infinite pleaſure this law gave the Senate, from the vehemence and energy of the expreſſions uſed by the orator Craſſus, in his diſcourſe to ſupport the Conſul's propoſal. He deſcribed the power of the Knights as a real tyranny, and the actual ſituation of the Senate as a ſtate of oppreſſion. "Deliver * us," ſaid he to the people, ſpeaking in the name of the Senate; "deliver us "from the miſeries under which we groan. Deliver "us from the fury of thoſe, whoſe cruelty cannot be "ſatiated with our blood. Deliver us from ſlavery. "Suffer us not to be in ſubjection to any whatſoever, "except your order, which we both can and ought "to obey." This ſo much deſired law was not put in execution, or at leaſt was not long in force. For we ſhall ſee in ſome years the Knights again have the ſole adminiſtration of juſtice. It however did ſo much honour to its author, that it acquired him the title of Protector of the Senate, *Senatus Patronus.* Val. Max. vi. 2.

It is undoubtedly for this reaſon that Cicero, who was always true to the ariſtocratical opinions, as often as he has occaſion to mention Cæpio, ſpeaks honourably of him. "Cæpio †," according to him, "was a man of great courage and conſtancy, to whom the misfortunes of war were made criminal; but the true cauſe of his diſgrace was the people's hatred." We have ſeen, that hiſtorians are far from being ſo favourable to him, that they repreſent him as highly criminal in reſpect to plundering the gold of Toulouſe, and impute to his arrogance and temerity the bloody defeat of the Romans by the Cimbri. Cæpio after that defeat, was ignominiouſly diſplaced by the

* Eripite nos ex miſeriis: eripite nos ex faucibus eorum quorum crudelitas noſtro ſanguine non poteſt expleri: eripite nos ex ſervitute. Nolite finere nos cuiquam ſervire, niſi vobis univerſis, quibus poſſumus & debemus. Craſſus apud Cic. l. i. de Or. n. 225. Parad. v.

† Q. Cæpio, vir acer & fortis, cui fortuna belli crimini, invidiæ populi calamitati fuit. Cic. Brut. n. 134.

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People, as we have ſaid above; and to that puniſhment they added the confiſcation of his eſtate. But thoſe were only the beginnings of his misfortunes.

The following year, under the ſecond Conſulſhip of Marius, L. Caſſius, Tribune of the People, cauſed it to be ordained by a law, that no perſon ſhould ſit in the Senate, that had been condemned and deprived of command by the people. Nothing was wanting to this law but Cæpio's name. For he was the only perſon in the caſe. A. R. 648.

Hitherto it does not appear that the gold of Touloufe was brought in queſtion, unleſs the confiſcation of Cæpio's eſtate was the puniſhment of his ſacrilege. We know beſides, that very ſtrict enquiries were made concerning that crime, in which many were involved. But it is not to be doubted, but that Cæpio was brought on that account before the people a ſecond time, ten years after his firſt condemnation, by the Tribune Norbanus. Diod. ap. Valeſ. Cic. de Nat. Deor. iii. 74. A. R. 657.

The accuſed found friends and protectors. The ſame L. Craſſus, of whom we have juſt ſpoke, and who was then Conſul, openly took upon him his defence. Scaurus, Prince of the Senate, and no doubt the whole order of the Senators, eſpouſed his intereſt. At length L. Cotta and T. Didius oppoſed their Collegue's law in form. Violence decided the affair, which was but too common then at Rome. A furious ſedition aroſe. Scaurus was put to flight, and even received a blow with a ſtone. The oppoſing Tribunes were driven from the Tribunal of Harangues. The law paſſed, and Cæpio was condemned.

The ſequel of this condemnation has ſome obſcurity in it. The combined teſtimonies of Cicero and Strabo only inform us, that he was baniſhed and retired to Smyrna. Valerius Maximus affirms, that he was put in priſon after his trial: and he praiſes the zeal and fidelity of a friend of Cæpio's, Rheginus, Tribune of the people, who forced the priſon, took out his friend, and went into baniſhment with him. This account may entirely be reconciled with Cicero and Strabo. Cic. pro Balbo, n. 28. Strab. l. iv. p. 188. Val. Max. iv. 7.

Val. Max. vi. 9. Strabo. But the ſame Valerius Maximus adds elſewhere, things that do not only differ from the account of thoſe two authors, but ſeem to contradict what I have juſt repeated after himſelf. He ſays, that Cæpio was ſtrangled in priſon, and his corpſe ignominiouſly dragged to the * Gemoniæ. Nobody but himſelf ſpeaks of ſo unhappy a death. But however it be, it is certain at leaſt, that Cæpio's misfortunes were aſcribed to the vengeance of the gods, who puniſh the guilty, ſays Strabo, even in the perſons of their children. It is ſaid, that he left only daughters, who diſhonoured their name by infamous conduct, and periſhed miſerably.

* A place in Rome, to which executed bodies were dragged with an hook.

SECT. II.

Inſurrections of the ſlaves in Italy, excited by Vettius the Roman Knight. Occaſion of the revolt of the ſlaves in Sicily. Six thouſand revolted ſlaves choſe Salvius for their King. They form an army of twenty thouſand foot and two thouſand horſe. Another revolt of the ſlaves, of which Athenion is leader. Salvius, who had taken the name of Tryphon, unites all the forces of the rebels under his command. Lucullus is ſent into Sicily, and gains a great victory over the ſlaves. But he neglects to take advantage of it. Servilius ſucceeds Lucullus. Tryphon dies, and Athenion is choſen King in his ſtead. The Conſul M'. Aquillius terminates the war. Parricide committed by Publicius Malleolus. Puniſhment of parricides. Marius by intrigues and money obtains a ſixth Conſulſhip. Origin of the hatred of Saturninus for the Senate. He becomes Tribune of the People, and attaches himſelf to Marius. Cenſorſhip of Metellus Numidicus, and violent conteſts between him and Saturninus. The latter inſults the Ambaſſadors of Mithridates. He is cited to a trial, and acquitted. Having killed Nonius, he is elected Tribune for the ſecond time

in his ſtead. He propoſes, and paſſes a new Agrarian law. Vile fraud of Marius. Metellus, of all the Senators, refuſes to take an unjuſt oath. He is baniſhed. Inſolence of Saturninus. Unworthy conduct of Marius to inflame diviſions more and more. New exceſſes of Saturninus. All the orders of the Commonwealth unite againſt him: he is put to death. His memory is deteſted. The faction of Marius prevents the return of Metellus. Glorious recal of Metellus. Marius quits Rome, to avoid being witneſs of the return of Metellus.

WAR OF THE SLAVES.

THE ſecond war of the ſlaves in Sicily happened at the time of that with the Cimbri, and ſubſiſted about four years. Some commotions of the ſlaves in Italy ſeemed the prelude to it. Some of them happened at Nocera, and ſome at Capua, which were eaſily ſuppreſſed. But the moſt conſiderable had a Roman Knight at the head of it, called Vettius.

His father was extremely rich; but there are no fortunes, which the madneſs for debauch will not eaſily find means to laviſh. The bad ſtate of his affairs was however not known: he had ſtill credit, and having fallen deſperately in love with a young ſlave, he bought her of her maſter for ſeven talents (ſomething more than a thouſand pounds ſterling) which he promiſed to pay at a certain time. The time elapſed, and he had not the money. He therefore demanded a ſecond delay, which was granted. But, as on the expiration of it, he found himſelf again under the ſame difficulty, frantick with his violent paſſion, and preſſed by his creditor, he took a deſperate reſolution. He again bought upon credit five hundred compleat ſuits of armour, which he cauſed to be ſecretly conveyed into the country: he there exhorted his own ſlaves to revolt, to the number of four hundred, armed them, aſſumed himſelf the

Diod. Eclog. l. xxxvi.

diadem, purple, and all the marks of ſovereignty, and declared himſelf King. His firſt exploit was to ſeize and murder his importunate creditor, who would be paid at all events. He afterwards roved about the country, allured ſlaves to him by the attraction of liberty, killed thoſe who oppoſed him, and having formed a body of ſeven hundred men, he fortified a camp, to ſerve as an aſylum for all that would join him.

When this news came to Rome, the Senate immediately conceived that there was more need of expedition than of great forces. L. Lucullus, who was then Prætor, had orders to ſet out directly with ſix hundred men, and to aſſemble and liſt all he ſhould find upon his march capable of bearing arms. On arriving at Capua, he had four thouſand foot and three hundred horſe. In the mean time, the number of Vettius's troops had augmented conſiderably. He had with him three thouſand five hundred men, and being intrenched on an eminence, he had even ſome advantage of Lucullus in a ſlight engagement. But the latter having brought over, by the hope of impunity, one Apollonius, whom the pretended King had appointed General of his army, Vettius, who ſaw himſelf betrayed, was reduced to kill himſelf, to eſcape captivity, and the ſhame of puniſhment. All thoſe who had taken arms with him, periſhed in the like manner. Apollonius only, with whom the promiſe made was faithfully kept, had his life ſaved. If any one had foretold this Vettius, that his parties of pleaſure in his early youth would terminate in ſo deſperate a reſolution, and ſo unhappy an end, he would never have believed it.

The revolt of the ſlaves in Sicily ſeems to have began the ſame year the affair of Vettius happened. The occaſion of it was as follows.

A. R. 648. Marius, charged with the war againſt the Cimbri, raiſed troops amongſt the Kings his allies. Nicomedes, King of Bithynia, excuſed himſelf on account of his want of power to furniſh them, becauſe the tax-

farmers (publicans) had taken off great numbers of his ſubjects, made ſlaves of them, and diſperſed them into different provinces. The Senate, by a decree, prohibited the detaining in ſlavery any free perſon of the countries in alliance with the Roman People, and ordered the Prætors, as ſoon as poſſible, to reinſtate all thoſe who ſhould be in this caſe in their liberty. Licinius Nerva governed at that time in Sicily. He applied himſelf to execute the decree of the Senate, and in a very ſhort time more than eight hundred were releaſed. As the principal and moſt powerful perſons of the iſland loſt conſiderably by the execution of this regulation, they addreſſed themſelves to the Prætor, who either out of conſideration for their perſons, or for the lucre of money, changed conduct, and would not give the ſlaves audience who applied to him, ſending them back even with menaces to their maſters.

Theſe unhappy creatures, who were refuſed juſtice, reſolved to do it themſelves. They firſt aſſembled in ſmall bodies, which were eaſily diſperſed. But the firſt ſucceſſes having rendered the Prætor more negligent, they aſſembled again. They were ſoon above two thouſand, and defeated a body of ſix hundred regular troops, that had been ſent againſt them. This victory procured them arms, of which they were in great want, and beſides acquired their enterprize ſo much reputation, that they ſaw their number increaſed in a ſhort time to ſix thouſand. They then reſolved to give themſelves a form of government: and in a general council elected one of their own body King: his name was Salvius, who had gained credit by his pretended ſkill in divination.

This new King acted with good ſenſe. He divided his troops into three bodies, and after having appointed them a rendezvous, he ordered them to diſperſe into the country, to ſollicit the ſlaves every where to revolt, and to carry off cattle, but eſpecially as many horſes as poſſible. He ſucceeded ſo well in every thing, that he at length aſſembled an army of above

above two thouſand horſe, and twenty thouſand foot, which he took care to form in all kinds of military exerciſe. In this condition, he ſet out to beſiege one of the moſt important places of Sicily, called Murgantia.

The Prætor ſeemed to awake as from a kind of lethargy. He marched againſt the rebels with ten thouſand ſoldiers, both Italians and Sicilians. But all he did was but to increaſe the glory of the King of the ſlaves, who routed his whole army, killed ſix hundred, and took four thouſand priſoners. Salvius, however, could not effect the reduction of Murgantia.

In the mean time, on another ſide of Sicily, towards Sergeſtum and Lilybæum, a new conſpiracy of ſlaves broke out, who had Athenion for their leader, a Cilician by birth, brave in perſon, and who gave himſelf out for ſkilful in judicial aſtrology. For it is remarkable, that ſuperſtition, and the chimeras of divination, have always great force in this kind of revolts. This man, ſeeing himſelf at the head of a thouſand more, who had joined him in five days, aſſumed the diadem with the name of King. But he acted in a quite different manner from other chiefs of rebels, who uſually make all ſoldiers who come into them. As to him, he gave arms only to ſuch as he obſerved to have ſtrength of body and courage. He obliged the reſt to follow their uſual buſineſs, in order that they might ſupply the army with ſubſiſtence and other conveniences.

He had ſoon aſſembled ten thouſand men, with whom he believed himſelf ſufficiently ſtrong to beſiege Lilybæum. He was miſtaken: the enterprize was too difficult; and he found it neceſſary to think of retreating. But bad ſucceſs, which ſhould naturally have diſcredited him, turned to his advantage in effect of his addreſs, ſeconded by a lucky accident. He informed his troops, that the ſtars threatened them with ſome great misfortune, if they perſiſted to continue before the place. And in reality, when he decamped a

an aid of Moors arrived at Lilybæum, who immediately made a ſalley, fell upon Athenion's rear-guard, and killed him abundance of people. The ſlaves did not doubt but this event was the accompliſhment of their King's prediction, and conceived the greater veneration for him.

Hitherto the rebels had no place of ſtrength. Salvius, who cauſed himſelf to be called Tryphon, the name, in former times, of an uſurper of the crown of Syria, made himſelf maſter of Triocala, a place extremely ſtrong and advantageous in every reſpect. He then ordered Athenion to repair to him, as a King orders his General. The latter obeyed, and thereby put an end to the hopes which had been conceived; that the rebels being divided againſt themſelves, it would be eaſy to reduce them. We have already ſeen the ſame thing between Eunus and Cleon, in the firſt war of the ſlaves. Tryphon was however not exempt from diſtruſt in reſpect to Athenion, and cauſed him to be arreſted. The government of the ſlaves then took an entirely regular form. Tryphon aſſumed all the ornaments of ſovereignty, appointed guards for his perſon, formed a council, built a palace in Triocala, and cauſed a forum to be made fit to contain a numerous aſſembly. He had then above thirty thouſand men under him, without including Athenion's troops.

Things were in this ſtate, when Lucullus was ſent A. R. 649.
to Sicily. This was undoubtedly the ſame perſon who the year before, being Prætor, had deſtroyed Vettius's ſmall army; and who, after having paſſed the year of his Prætorſhip at Rome, according to the long eſtabliſhed cuſtom, was to have the government of a province. He brought with him fourteen thouſand Romans and Latines, and two thouſand auxiliaries. With theſe troops he marched againſt the rebels.

On his approach, Tryphon held a council. He was of opinion, that it was neceſſary to ſhut themſelves up in Triocala, and to expect the enemy there.

Athenion,

Athenion, who had been reſtored to favour, thought it beſt to hazard a battle. This opinion took place. Accordingly they ſet out, to the number of forty thouſand, and encamped fifteen hundred paces from the Romans. After ſome days, which paſſed in ſkirmiſhes, they came to a general action. Athenion ſupported the counſel he had given by prodigies of valour. But when he was obliged to retire from the battle by three wounds, the ſlaves loſt courage and fled, leaving twenty thouſand of their number upon the ſpot. The reſt, with Tryphon, retired into Triocala. Athenion remained concealed among the dead, and afterwards, by favour of the night, eſcaped alſo into the place.

It had been eaſy for Lucullus to terminate the war, if he had immediately attacked the remaining revolters whilſt entirely diſcouraged by their defeat. They were ſo to ſuch a degree, that they deliberated whether they ſhould not return to their maſters, and ſubmit to their diſcretion. But the Prætor having given them time to recover from their firſt terror, they took courage again, and reſolved to fight to their laſt breath, rather than ſurrender themſelves to their cruel tyrants. At the end of nine days, Lucullus actually beſieged Triocala; and after having loſt abundance of men before it, he was obliged to raiſe the ſiege. From thenceforth he left the rebels in quiet enough, and was ſuſpected of having been more intent upon enriching himſelf in his province, than upon reſtoring its tranquility. And this was not mere ſuſpicion; for when he returned to Rome, he was accuſed and condemned as guilty of extortion. This Lucullus was the father of him who afterwards commanded againſt Mithridates.

A. R. 650. Servilius was ſent the year following to ſucceed him, and did nothing memorable. Florus even ſays, that the rebels defeated him, and took his camp. Whilſt he was in Sicily, Tryphon died, and Athenion, who ſucceeded him, ravaged the whole iſland, beſieged and took ſeveral cities, whilſt the

the Prætor hardly made any motion to ſtop his progreſs.

At length a Conſul was ſent from Rome againſt enemies who continually became more and more formidable. This was Manius Aquillius, Marius's Collegue in his fifth Conſulſhip. He was a man of heroick valour. He gained a ſignal victory over the enemy, in which he killed Athenion with his own hands, after having received a wound himſelf in the head.

The ſlaves, though they had loſt their leader, cantoned themſelves however in different places. Aquillius purſued them thither, without giving them occaſion however to fight, but endeavouring to reduce them by famine. Only a thouſand of them ſurrendered, with Satyrus their commander. Aquillius cauſed them to be carried to Rome, and was for making a ſhew of them to the people in fighting with wild beaſts. Thoſe unfortunate wretches, ſeeing that their lives were preſerved only for the ſport and diverſion of the Romans, exhibited a fight to them quite different from that they expected. They turned the arms put into their hands againſt one another, and died in that manner. Satyrus, who ſurvived laſt, killed himſelf. Aquillius had the honour of the little triumph or ovation.

Thus ended the ſecond war of the ſlaves in Sicily. It is ſaid, that the number of ſlaves who periſhed in this and the preceding war, amounted to a million. Athen. vi. 20.

DETACHED FACTS.

Whilſt the war with the ſlaves ſtill ſubſiſted, and immediately after the triumphs of Marius and Catulus over the Cimbri, hiſtory mentions a parricide, which ſome have conſidered as the firſt crime of that kind that was ever committed in Rome. But there is a prior inſtance of it. Plutarch tells us, that in the time immediately after the war with Hannibal, one L. Hoſtius Plut. in Rom.

L. Hoſtius killed his father. The perſon guilty of this crime now, was called Publicius Malleolus. He killed his mother, with the aſſiſtance of his ſlaves.

Every body knows what puniſhment was inflicted upon Parricides at Rome. Romulus had inſtituted none; perhaps being of the ſame opinion with Solon, who, in making his laws for the Athenians, obſerved the ſame ſilence on the ſame ſubject: and on being aſked his reaſon for it, replied, that he ſuppoſed there never could be any one capable of ſo horrible a crime. And indeed, to inſtitute a puniſhment for a thing ſo extremely contrary to nature, may ſeem rather to teach mankind to conſider it as poſſible, than to prevent it. But there is no exceſs of wickedneſs of which man is not capable; and L. Hoſtius having given a proof in reſpect to this crime in Rome, it is to be believed, that it was for him the ſingular puniſhment of which I am going to ſpeak was invented. The criminal was ſtrongly ſewed up in a leathern bag, with a dog, a cock, a viper, and an ape, and in that condition thrown into the Tiber.

But to what ſhall we aſcribe the choice of ſo extraordinary a puniſhment? Cicero explains this in one of his pleadings; and that paſſage of eloquence, tho' more witty than ſolid, may perhaps, by way of variety, not diſpleaſe the reader. "How * worthy of admiration, cries he, is the wiſdom of our an-

* O ſingularem ſapientiam, judices! Nonne videntur hunc hominem ex rerum natura ſuſtuliſſe & eripuiſſe, cui repentè cœlum, ſolem, aquam, terramque ademerunt; ut qui eum necaſſet unde ipſe natus eſſet, careret iis rebus omnibus ex quibus omnia nata eſſe dicuntur? Noluerunt feris corpus objicere, ne beſtiis quoque, quæ tantum ſcelus attigiſſent, immanioribus uteremur; non ſic nudos in flumen dejicere, ne quum delati eſſent in mare, ipſum polluerunt, quo cætera quæ violata ſunt expiari putantur. Denique nihil tam vile, neque tam vulgare eſt, cujus partem ullam reliquerint. Etenim quid tam eſt commune, quam ſpiritus vivis, terra mortuis, mare fluctuantibus, littus ejectis? Ita vivunt, dum poſſunt, ut ducere animum de cœlo non queant: ita moriuntur, ut eorum oſſa terra non tangat: ita jactantur fluctibus, ut nunquam abluantur: ita poſtremò ejiciuntur, ut ne ad ſaxa quidem mortui conquieſcant. Cic. pro Sex. Roſc. 71, 72.

ceſtors

ceſtors in the puniſhment they eſtabliſh for parricides! Do not they ſeem to have cut off the criminal from all nature, by diveſting him at the ſame time of the heavens, the ſun, the water, the earth (earth, air, fire, and water), in order that the wretch, who had killed him from whom he received birth, might be deprived at once of all the elements, that give exiſtence to the different beings that compoſe this univerſe? They would neither expoſe him to wild beaſts, leſt even thoſe creatures, from a kind of contagion communicated to them by ſuch a monſter, ſhould become more ſavage; nor throw him naked into the river, leſt he ſhould contaminate the ſea, intended by nature (as is thought) to waſh away, and purge all filth. In a word, there is nothing ſo vile in nature, nor of the moſt common and general uſe, of which they have left him the enjoyment. And what is there indeed in nature more common than air to the living, earth to the dead, ſea to thoſe upon the waves, and ſhore to thoſe driven thither by them? Theſe wretches perhaps live ſome moments, but without being able to reſpire the air: they die, and their bones do not touch the earth: they are continually toſſed about by the waves, without ever being waſhed: in a word, they are driven to the ſhore, but without ever being able to find near the rocks themſelves a place of repoſe."

It is probable enough, that the inventors of this puniſhment had ſome of the views upon which Cicero expatiates with ſo much wit and luxuriance. We eaſily perceive in it an horror, that endeavours to rid itſelf by the ſhorteſt means, of an object infinitely odious. For the reſt, if I tax the paſſage I have juſt repeated, with being of a kind of eloquence that runs too much after the Shining, without ſufficient attention to the Juſt, I only ſpeak after Cicero himſelf. He has criticized upon it; and after having * ſaid,

* Quantis illa clamoribus adoleſcentuli diximus de ſupplicio parricidarum! quæ nequaquam ſatis deferbuiſſe poſt aliquanto ſentire cæ-

that

that when he pronounced it, being then very young, he was extremely applauded; he however cenſures it, as ſavouring too much of the greenneſs of youth; as rather requiring indulgence than deſerving praiſe; as more to be commended for the hope it might give for the future, than any real preſent merit.

Let us return to Marius, whom we left full of glory, and who is going to draw reproach upon himſelf by a frantic ambition, and all the guilt of perfidy and treaſon.

Plut. in Mar. It did not ſuffice him to have been raiſed five times to the Conſulſhip, and, which was unexampled in Rome, to have exerciſed that ſupreme office during four years ſucceſſively. He deſired, and ſollicited, a ſixth Conſulſhip with more ardour than ever perſon did to obtain it for the firſt time. He endeavoured to make himſelf agreeable to the people, by aſſuming the complaiſant, and affecting kind and affable behaviour; which became him very ill, as it was doing violence to his character, that was naturally rough and imperious. To all theſe vain artifices he added one more effectual. He diſperſed money in abundance among the Tribes; and thereby not only ſucceeded in being elected Conſul for the ſixth time, but ſet aſide Metellus Numidicus, who ſtood for it, and cauſed L. Valerius Flaccus to be given him leſs as a Collegue than as a ſervant. It was at this time he contracted a great union with L. Appuleius Saturninus, the worſt citizen of Rome. It is neceſſary to make that man known in this place. For this purpoſe I proceed to relate ſome facts concerning him, that I have reſerved till now.

Cic. de Har. Reſp. 43. & pro Sext. 43. The firſt mention made of him in hiſtory is on the occaſion of his Quæſtorſhip. His province in that office was Oſtia, with commiſſion to provide grain, of which Rome was then in want. He was a young debauchee, mad after pleaſure; ſo that he acquitted

pimus—Sunt enim omnia ſicut adoleſcentis, non tam re & maturitate, quam ſpe & exſpectatione laudati, Orat. 107.

himſelf

himſelf very negligently of his employment. The Senate deprived him of it, and gave it to M. Scaurus. This affront touched Saturninus ſenſibly. He quitted voluptuouſneſs, but only to become malignant, turbulent, and ſeditious: and from that inſtant his deſire of being revenged upon the Senate was always uppermoſt.

Soon after, the 649th year of Rome, he obtained the office of Tribune: and as he had a kind of popular eloquence, he acquired credit, and ſerved Marius, as we have related, on the occaſion of his fourth Conſulſhip. It appears, that from thenceforth he attached himſelf to Marius in a peculiar manner. For during this ſame Tribuneſhip, he propoſed a law for diſtributing an hundred acres of land in Africa to each of the veteran ſoldiers who had ſerved under that General. One of his Collegues oppoſed that law. But the multitude, at the inſtigation of Saturninus, drove him away with ſtones. And this was but a kind of prelude to the exceſſes he afterwards ran into.

The friendſhip he had contracted with Marius naturally inclined him to hate Metellus Numidicus; beſides which, his vices prompted him to be the enemy of ſo virtuous a perſon. Oroſius relates, that when Metellus was Cenſor, Saturninus had the impudence to drag him by force out of his own houſe, and to purſue him with arms quite to the Capitol, whither Metellus had been forced to fly for refuge. Saturninus beſieged him there, and the Roman Knights were obliged to take arms, and fight to ſave the Cenſor, in which tumult abundance of blood was ſhed. Probably this fact is to be referred to the other conteſts which Metellus had with Saturninus, during his Cenſorſhip, and which was very violent. Oroſ. v. 17.

The Cenſor was for excluding him the Senate, as well as Servilius Glaucia, who by the unworthineſs of his conduct was the reproach of that body. But beſides, another quarrel, excited alſo by Saturninus, occaſioned a furious ſedition. One L. Equitius gave

himſelf out for the ſon of Ti. Gracchus, and preſented himſelf to the Cenſors, in order to be regiſtered as ſuch upon the liſt of the Roman citizens. Metellus oppoſed this; declaring that Tiberius had but three ſons, who were all dead, the one in Sardinia in the ſervice, the other at Prænesſte, and the laſt at Rome; and that he could not ſuffer the glory of ſo illuſtrious a family to be ſullied by a wretched impoſtor. The people, that idolized the name of the Gracchi, and were ſoothed with the hope of ſeeing it revived, broke out with great violence: ſtones flew about: the Cenſor was in danger; however, he perſiſted in rejecting the falſe Gracchus. One of the Tribunes, of whoſe name Valerius Maximus has left us in ignorance, ſupported Equitius, and undertook to make Sempronia, the ſiſter of the Gracchi, acknowledge him. He cauſed that lady to come into the midſt of the aſſembly, made her aſcend the Tribunal of Harangues, and there in the preſence of that mutinous people, called upon her to acknowledge her nephew, and to give him a kiſs in token of their relation. Sempronia, on this occaſion, ſhewed a reſolution worthy of her name and rank; and notwithſtanding the clamours of the multitude, expreſſed only contempt for the perſon who would falſely have introduced himſelf into her family. It is not known how the affair ended. It is probable enough, that the Collegue of Numidicus, who was at the ſame time his couſin-german, but who did not reſemble him in point of conſtancy, permitted Equitius to have the quality, to which he pretended, upon the publick regiſter. It is at leaſt certain, that he exempted Glaucia and Saturninus from the diſgrace intended them and continued them in the rank of Senators.

Val. Max. iii. 8.

The Cenſorſhip of the two Metelli, Numidicus and Caprarius, was in the 650th year of Rome.

Saturninus ſoon after drew another affair upon himſelf, which wanted little of proving his deſtruction. Mithridates, ſo famous afterwards for his wars with Rome, formed at that time great deſigns againſt ſome ſtate

ſtates adjoining to his dominions. But perceiving that he could not put them in execution without bringing over the Romans to his intereſts, he ſent Ambaſſadors to Rome with great ſums, to engage the voices of the principal perſons of the Senate. The only author we have for this fact, does not poſitively ſay whether any money was given. The thing is very probable in itſelf. Saturninus, who thought this a good occaſion for attacking the enemy with advantage, made a great noiſe on this head, and went ſo far as to inſult the Ambaſſadors. The latter, encouraged by a great number of the Senators, who promiſed to ſupport them with their whole credit, laid their complaints before the Senate, who alone took cognizance of this kind of affairs. The perſons of Ambaſſadors had always been extremely reſpected at Rome, and in caſes like this, the violators of the law of nations had always been delivered up to the ſtate they had injured. Saturninus accordingly perceived the danger to which he had expoſed himſelf, and ſpared no pains to intereſt the People in his favour. He appeared in the habit of a ſuppliant, throwing himſelf at the feet of the citizens, imploring their aid with tears in his eyes, and endeavouring to perſuade them, that it was his attachment to the intereſts of the People, which had drawn upon him the hatred of the Senate, and that his accuſers were his judges. On the day for paſſing ſentence, an infinite number of citizens aſſembled in all the avenues to the Senate, which, probably intimidated by ſo extraordinary a concourſe, did not dare to condemn Saturninus.

Diod. ap. Fulv. Urſin.

That factious man, irritated anew by the danger he had been in, verified the maxim advanced by Cato in Livy *, that it is better not to accuſe a bad man, than to put it in his power to be acquitted. From that moment he ſet no bounds to his frantick malignity, and breathing nothing but the fierceſt vengeance,

A. R. 651.

App. Civil. l. 1. Liv. Epit. lxix. Oroſ. v. 17.

* Hominem improbum non accuſari tutius eſt, quàm abſolvi. Liv. xxxiv. 4.

ance, he demanded the Tribuneſhip a ſecond time. Metellus Numidicus was particularly the object of his fury, and he concerted with Marius to deſtroy him. It was neceſſary to begin by ſecuring the ſucceſs of his deſign in reſpect to the Tribuneſhip, which admitted great difficulties: and Marius, who was then Conſul, and commanded the troops, engaged to make him Tribune at any price whatſoever. However, of the ten Tribuneſhips, nine were given away without including him. Aulus Nonius ſtill diſputed the tenth with him, and carried it. Saturninus, to whom the greateſt crimes coſt nothing, followed by great numbers of the dregs of the People, and ſome ſoldiers, with whom Marius ſupplied him, purſued Nonius, and killed him. This was an enormous act of violence, and directly repugnant to the publick liberty. However, it did not prevent Saturninus from being elected Tribune in a kind of clandeſtine or furtive aſſembly. Nobody dared to complain, and the crime remained not only unpuniſhed, but triumphant.

Thus did Marius, who had bought the Conſulſhip, and Saturninus, who had opened his way to the Tribuneſhip by murder, unite their ſtrength and reſentments; with this difference, however, that the one acted openly and without diſguiſe, and the other concealed his views.

A. R. 652. Ant. C. 100. C. MARIUS VI.
C. VALERIUS FLACCUS.

As ſoon as Saturninus was in office, he propoſed ſeveral laws. But that which made the moſt noiſe was a new Agrarian law for the diſtribution of lands, and the eſtabliſhment of different colonies. The Senate, according to cuſtom, did not fail to oppoſe this pernicious largeſs. The people were divided about it, becauſe moſt of the citizens had no intereſt in it, and almoſt none but Marius's ſoldiers were to have any advantage from it. At length a formal oppoſition

for

ſome of the Tribunes ſeemed of neceſſity to put a ſtop to the whole. But Ti. Gracchus had long before ſet the example of not regarding oppoſition. A. R. 652. Ant. C. 100.

Saturninus drove the oppoſing Tribunes out of the Forum, and made the citizens proceed to give their ſuffrages. Upon that, the Nobility, and more conſiderate part of the people, cried out, that thunder had been heard. The Tribune in a fury inſolently replied: "It will hail preſently, if you don't be "quiet." On that word, as at a kind of ſignal, blows enſued; and both ſides armed themſelves with ſtones and ſtaves. The faction of Saturninus was the ſtrongeſt, and cauſed the law to paſs. Auct. de vir. Illuſtr.

A very unuſual clauſe had been added to it, by which it was decreed, that after the People had accepted the law, in five days the Senate ſhould ſwear to obſerve it, and that whoever ſhould refuſe to take that oath, ſhould be baniſhed. This clauſe was a ſnare laid for the openneſs and ſteadineſs of Metellus, and Marius employed artifice and fraud to make him fall into it. He declared in the Senate, that he ſhould be far from taking ſo unjuſt an oath; and that, in his opinion, no wiſe man could ever reſolve to do ſo. "For," added he, "if the law be good and uſeful "in itſelf, it is an injury to force the Senate to ſwear "the obſervance of it, as reaſon ought to induce them "to it voluntarily: and if bad, it is the greateſt in-"juſtice to extort an oath from us, in order to com-"pel our conſent to it." This argument was unanſwerable; and the oath annexed to the law plainly manifeſted the injuſtice of the law itſelf. Accordingly Metellus proteſted abſolutely, that he would never take the oath required by the Tribune. This was the very thing Marius wanted, not doubting but a declaration from his own mouth in full Senate, on a point wherein juſtice and right were on his ſide, would be an engagement from which nothing in the world would be able to make him depart. Plut. in Mar.

The fifth day after the paſſing of the law, being the utmoſt time limited for taking the oath, Marius

A. R. 652. Ant. C. 100. aſſembled the Senate, affecting to appear anxious and perplexed. He ſaid, "he was very much afraid that the People would proceed to violent extremities, if the Senate refuſed the oath. But that he had thought of an expedient which would remedy every thing. That this was to ſwear to accept the law, in caſe it was law. That by this oath they would be under no real engagement; as it was notoriouſly known, that it had been paſſed by violence, contrary to the auſpices, and after a clap of thunder had been heard and declared." Every body perceived the weakneſs and ridicule of this ſubterfuge: but the fear of baniſhment over-ruled all other motives. Marius went out in order to take the oath, and was followed by all the Senators in general, except one. This ſingular perſon was Metellus. Whatever prayers and remonſtrances his friends could make to him, were to no effect: he perſiſted firmly in his principles, and determining to ſuffer all things rather than act any thing baſe, he quitted the forum, diſcourſing with thoſe who accompanied him, and expreſſing himſelf in theſe remarkable words: "To do ill, is the effect of a corrupt "heart: To act well, when there is nothing to fear, "is the merit of a common man. But to act well in "expoſing one's ſelf to the greateſt dangers, is peculiar "to the truly virtuous man."

What difference there is between man and man, between Marius and Metellus! the one making ability and political wiſdom conſiſt in fraud and diſſimulation; the other laying down ſincerity and probity as the ſole foundations of merit and virtue: the one meditating to become the greateſt perſon in the Commonwealth, even at the expence of honeſty and virtue; and the other to be the beſt man in it. This contraſt of characters I borrow from Plutarch.

Saturninus was not long without compleating his crime. He made the People paſs a decree to enjoin the Conſuls to prohibit fire and water to Metellus, and all the ſubjects of the Commonwealth from receiving him into their houſes: this was the form of baniſhment.

ment. All the perſons of worth, compaſſionating his diſgrace, repaired in a crowd to him, with the reſolution to defend him: but he would not ſuffer a ſedition to ariſe on his account, and quitted the city, conſoling his friends, and reaſoning with them to this effect: "Either affairs will change, and then if the "people come to themſelves, I ſhall be recalled with "honour; or they will continue in the ſame ſtate, "and in that caſe is it not better to be removed from "the ſight of ſo many calamities?" The extraordinary marks of eſteem and affection paid him in all the places through which he paſſed, ſhews how highly a man was admired, who had choſe rather to renounce his country than his duty. He ſtopped at Rhodes, where he lived agreeably, paſſing his time either in reading, for which he had always had abundance of taſte, a great reſource for an exile, or in the converſation of perſons of worth and letters, who ſufficiently abounded in that iſland. A. R. 652. Ant. C. 100.

In effect, baniſhment did not at all abate his courage; and this is evident from an expreſſion in one of his letters, which Aulus Gellius has preſerved. "* My adverſaries," ſays Metellus, "have prohi-"bited themſelves the enjoyment of virtue and juſtice. "As to me, I am not deprived of the uſe of fire and "water; and I enjoy the greateſt glory." It is plain he alludes to the prohibition of fire and water pronounced againſt him.

Marius, who had fomented the exceſſes of Saturninus, ſoon became the avenger of them. But it was neceſſary to force him to it. That ſeditious man, to whom he had once given the reins, tired him out with new crimes, which he committed every day. His inſolence knew no bounds, as we may judge from his manner of treating Glaucia, who was however his friend, and not undeſervedly. Glaucia was Prætor; and as he was trying cauſes in the forum at

* Illi verò omni jure atque honeſtate interdicti. Ego neque aquâ, neque igni careo: & ſummâ gloriâ fruiſcor. METELL. apud A. Gell. xvii. 2.

A. R. 652. Ant. C. 100. the ſame time that Saturninus was haranguing the people, the latter pretended that this was a failure of reſpect for him in quality of Tribune, and cauſed his curule chair to be broke to pieces.

Plut. in Mar. Marius however kept fair with Saturninus, no doubt conſidering him as uſeful to his own views. He even took pleaſure at firſt in ſtirring up the fire of diſcord between the Senate and that Tribune; and for that end acted the moſt unworthy part it is poſſible to imagine. For the principal perſons of the Senate having applied to him, to perſuade him to take upon him the defence of the Commonwealth againſt a frantick man that tore it in pieces; he received Saturninus at the ſame time into his houſe by another door: and pretending an indiſpoſition that frequently obliged him to go out, he went to and fro from one apartment to the other, and behaved in ſuch a manner, that he diſmiſſed them all more incenſed againſt each other than before. But Saturninus carried things to ſuch an height, that Marius was at length obliged to renounce him.

Civil. l. 1. He ſtood a third time for the Tribuneſhip, and in order to render himſelf more agreeable to the people, he alſo ſet up the falſe Gracchus we have mentioned to be his Collegue. Marius then acted as became the Conſul. He ordered Equitius (the impoſtor was ſo called) to deſiſt from his demand, and on his refuſal committed him to priſon. But the people, ardently fond of the name that wretch aſſumed, broke open the gaol, brought him away by force, and elected him Tribune with Saturninus. This was not all. Saturninus was for having a Conſul devoted to his will. He caſt his eye upon Glaucia, who was in reality the man that beſt ſuited him *, by a meanneſs of ſoul equal to that of his birth. Glaucia could not legally be elected, becauſe he was actually Prætor, and the laws required an interval between the Prætorſhip and Conſulſhip. But Saturninus did not re-

* Summis & fortunæ & vitæ ſordibus. Cic. Brut. n. 224.

gard the laws. On the day of election, the Conſuls being arrived, the orator M. Antonius was firſt elected without difficulty. The ſecond place was diſputed between Memmius and Glaucia; and Memmius was upon the point of being preferred. Saturninus immediately ſet ſome of the aſſaſſins in his pay upon him, who knocked him on the head upon the Forum, in the preſence of the whole people. A. R. 652. Ant. C. 100.

This laſt crime entirely ruined the Tribune. All orders of the ſtate took fire at it. All the well-inclined citizens united to put a ſtop to an inſolence and fury that threatened Rome with deſtruction. It was impoſſible for Marius to protect Saturninus againſt the publick indignation: and as he was always ready to change ſides according to his intereſt, he put himſelf at the head of the perſon's enemies with whom he had hitherto always acted in concert. The Senate paſſed a decree, "that the Conſuls C. Marius and L. Valerius ſhould aſſociate with themſelves ſuch of the Prætors and Tribunes of the People as they ſhould judge proper, and defend the ſtate, and the majeſty of the Roman People, by all convenient methods." This decree gave the Conſuls unlimited power. Marius employed it in all its extent. He made the citizens take arms, diſtributed the poſts, and marched in perſon to the Forum, where Saturninus waited for him with his followers. The forces were certainly not equal. But there was ſtill more difference between the two parties in reſpect to dignity, than in reſpect to ſtrength. On one ſide, were both the Conſuls, all the Prætors, except Glaucia, all the Tribunes, except Saturninus, the whole flower of the Nobility, the whole order of the Knights, and the whole Senate. Two venerable old men were remarkable amongſt theſe, M. * Scaurus, the Prince of the Senate, who,

* Quum armatus M. Æmilius, princeps Senatus, in Comitio conſtitiſſet, qui quum ingredi vix poſſet, non ad inſequendum ſibi tarditatem pedum, ſed ad fugiendum impedimento fore putabat: quum denique Q. Scævola, confectus ſenectute, præpeditus morbo, mancus, & membris omnibus captus & debilis, haſtili nixus, & animi vim, & infirmitatem corporis oſtenderet. Cic. pro Rabir. n. 21.

though

A. R. 652. Ant. C. 100. though ſcarce able to walk, believed, ſays Cicero, that the gout, which he had in his feet, was no obſtacle for him, becauſe it only prevented him from flying; and Q. Scævola, worn out with age and infirmities, paralytick, and almoſt without the uſe of his hands and arms, who ſupporting himſelf on a pike, ſhewed at once the greatneſs of his courage, and the weakneſs of his body. On the other ſide, all was contemptible; to begin with the leaders, a factious Tribune, a Prætor, whoſe worthleſſneſs was a diſgrace to his office, and the falſe Gracchus. Next to theſe, almoſt the only perſons worth mentioning, were the Quæſtor Saufeius, and one Labienus, the friend of Saturninus. Theſe were only the dregs of the people, a ſeditious mob.

The victory could not long be doubtful; and Saturninus was ſoon obliged to take refuge in the Capitol, with thoſe I have mentioned, and the groſs of his followers. They were rendered incapable of defending themſelves long, by cutting off the canals that brought water thither. In this extremity, Saufeius, reduced to deſpair, propoſed ſetting the Capitol on fire, to put an illuſtrious end, ſaid he, to their noble and unfortunate enterprize, in making ſo auguſt a temple their funeral pile. But Saturninus and Glaucia did not agree with him, and relying upon Marius's friendſhip and credit, who favoured them underhand, they ſent Deputies to the Conſuls, ſurrendered upon the publick faith, and quitted the Capitol. Marius would moſt willingly have ſaved them; but it was not in his power. The populace crying out, that they were the enemies of the State, with whom no engagements could be made without the conſent of the Senate, fell upon thoſe that were next him, and that very day deſtroyed all the leaders of the ſedition. Saturninus proteſted to no purpoſe, that he had done nothing without the authority and advice of the Conſul Marius. He was maſſacred by the enraged multitude, with the Prætor Glaucia, and the falſe Gracchus, who the ſame day had entered upon office as a Tribune, which

which circumſtance gives us the exact date of this event. For the Tribunes began their adminiſtration on the fifth of December. The body of Saturninus was torn to pieces: and Rabirius carried his head with inſult from houſe to houſe throughout the whole city. The ſlave, who killed him, was rewarded with his liberty, and the eſtates of the authors of the ſedition were confiſcated. A. R. 652. Ant. C. 100.

The memory of Saturninus had not the ſame advantage as that of the Gracchi, whom indeed he hardly reſembled, except on the worſt ſide. It was deteſted after his death, as his perſon had been during his life. Two remarkable facts evidently prove, that to ſeem to retain any eſteem or attachment for him, ſufficed for being treated as a criminal. One C. Decianus, in a diſcourſe which he made to the people, having ſpoke honourably of Saturninus, was condemned. Sex. Titius was alſo baniſhed, for having a picture of Saturninus in his houſe. This may ſeem exceſſive rigour: but Cicero did not judge it ſo. In ſpeaking of the condemnation of Titius, he expreſſes himſelf as follows: "The * judges conſidered as a bad citizen, as a member that deſerved to be cut off from the Commonwealth, the man, who by ſhewing the picture of a ſeditious perſon, the declared enemy of his country, expreſſed either a deſire to pay a kind of homage to his memory, or propoſed to excite the regret or compaſſion of the multitude for him; or laſtly, ſeemed to think like him, and deſigned to follow his example." Val. Max. viii. 1.

As ſoon as Saturninus was dead, the return of Metellus was much talked of: this was the general wiſh of all good men, and ſeems a neceſſary conſequence of the treatment he had ſuffered from the Tribune,

* Statuerunt Equites Romani, improbum civem eſſe, & non retinendum in civitate, qui hominis hoſtilem in modum ſeditioſi, imagine, aut mortem ejus honeſtaret, aut deſideria imperitorum miſericordiâ commoveret, aut ſuam ſignificaret imitandæ improbitatis voluntatem. Cic. pro Rabir. 24.

A. R. 652. Ant. C. 100. who baniſhed him. The faction of Marius prevented the effect of that almoſt univerſal diſpoſition in his favour. The Tribune, P. Furius, whom Metellus, in his Cenſorſhip, had deprived of the rank of Knight, oppoſed it in form; and that man of the loweſt condition, the ſon of a freedman, rejected with inflexible inhumanity the entreaties of Metellus the younger, who threw himſelf at his feet with tears in his eyes, to ſollicit the return of his father.

A. R. 653. Ant. C. 99.

M. ANTONIUS.

A. POSTUMIUS ALBINUS.

Metellus was ſoon revenged upon Furius's arrogance. That Tribune had no ſooner quitted his office, than Canuleius, one of his ſucceſſors, having accuſed him, the people would not ſo much as ſuffer him to make his defence, and knocked him on the head upon the ſpot. He well deſerved that unhappy end; for he was a pernicious citizen, at firſt the adherent, and afterwards deſerter, of Saturninus: but the violence uſed in regard to him, is not therefore the leſs to be condemned.

The occaſion was too fair, to omit urging the recal of Metellus Numidicus. The whole houſe of that great man, which was ſo numerous and powerful, and ſo often honoured with the firſt dignities of the Commonwealth, all its relations, who were of the principal families of Rome, employed their credit for repealing the decree, by which he had been condemned to baniſhment. But his ſon had the principal glory of the ſucceſs. That young man, for ever memorable for his filial affection, went from houſe to houſe in a mourning habit, ſhedding tears in abundance, and proſtrating himſelf at the feet of every citizen, to ſollicit a favour dearer to him than his own life. Marius did his utmoſt to oppoſe the re-eſtabliſhment of the perſon whom he had ſo unworthily expelled, but in vain. The People, on the motion of Callidius, one

Diod. ap. Valeſ.

of

of the Tribunes, recalled Metellus. The * warm and tender affection expreſſed by his ſon on this occaſion, obtained him the ſirname of *Pius*, as much as to ſay, good ſon, man of an excellent diſpoſition: a ſirname of leſs glory, but more eſtimable, than the titles of the conquerors of nations. A.R. 653. Ant. C. 99.

Metellus was preſent at the celebration of games when he received the letters that informed him of his recal. He deferred reading them till the ſhews were over. No emotions were obſerved in his countenance. He † was always the ſame in both fortunes; always maſter of himſelf, and ſuperior to all paſſions, as his baniſhment had not overwhelmed him with grief, his recal was attended with no immoderate joy.

When it was known, that he was upon the point of arriving at Rome, the Senate and People, the rich and poor, in a word, the whole city, ſeemed to contend who ſhould be foremoſt in meeting him, and to make ſome kind of reparation for the injuſtice committed againſt him. It ‡ may be ſaid, that neither offices, nor triumphs, ever did him more honour, than either the cauſe of his baniſhment, the wiſe conduct he obſerved in it, or laſtly, the glory of his return.

Marius, not being able to bear the ſight of the honours, which he rightly foreſaw would be paid to his enemy (for the homage paid to virtue is the greateſt of torments to envy), had quitted the city, and embarked for Cappadocia and Galatia; alledging as an excuſe, that he was going to perform the ſacrifices he had vowed to the mother of the Gods. We ſhall ſee in the ſequel that he had alſo another ſecret view, which was to excite and haſten the war Mithridates Plut.

* Metellus Pius, pertinaci erga exſulem patrem amore, tam clarum lacrymis, quàm alii victoriis nomen aſſecutus. VAL. MAX. v. 2.

† Eumdem conſtat pari vultu & exſulem fuiſſe, & reſtitutum: adeo moderationis beneficio, medius ſemper inter ſecundas & adverſas res animi firmitate verſatus eſt. VAL. MAX. iv. 1.

‡ Nec triumphis honoribuſque, quàm aut causâ exſilii, aut exſilio, aut reditu clarior fuit Numidicus. VELL. PATERC. ii. 15.

was

A. R. 653. Ant. C. 99. was ſuſpected to meditate againſt the Romans; not doubting, but in that caſe, the command of the armies would be given to him, and conſequently the occaſion of acquiring new glory, and new riches. Accordingly, though that King ſpared nothing in his reception, and even overwhelmed him with marks and profeſſions of honour, Marius would neither ſuffer himſelf to be ſoftened, nor be induced to return him deference for deference, but ſaid to him with his uſual haughtineſs, "King of Pontus, you muſt either "make yourſelf more powerful than the Romans, or "ſubmit to their orders." Mithridates, who had never heard any one ſpeak to him in ſuch a ſtile, conceived then an idea of the Roman pride, which he had hitherto only known from the report of others.

SECT. III.

Birth of Cæſar. Antonius had triumphed over the Pirates. Aquillius, accuſed of extortion, is ſaved by the eloquence of Antonius. Oppreſſive exactions of the Roman Magiſtrates in the provinces. Admirable conduct of Scævola, Proconſul of Aſia. Human victims prohibited. Duronius is expelled the Senate for a very remarkable reaſon. The kingdom of Cyrene left to the Romans by will. Sertorius, a military Tribune, ſignalizes himſelf in Spain. Praiſe of Craſſus and Scævola. Law paſſed by the Conſuls to prevent uſurping the freedom of Rome without right. Scævola renounces the government of the province fallen to him by lot. Integrity and noble confidence of Craſſus. Sedition of Norbanus. He is ſummoned to take his trial. Character of Sulpicius. Wiſe advice given him by Antonius. Prætorſhip of Sylla. He exhibits a ſhew of a combat, with an hundred lions unchained. Decree of the Cenſors Craſſus and Domitius againſt the Latin rhetoricians. Debate between the Cenſors. Luxury of the orator Craſſus. Unjuſt condemnation of Rutilius. He goes into voluntary baniſhment. He is invited to return to Rome by Sylla and refuſes. He had made himſelf maſter of all polite knowledge.

M. ANTONIUS

M. ANTONIUS. A. R. 653. Ant. C. 99.
A. POSTUMIUS ALBINUS.

THE recal of Metellus Numidicus, and the birth of J. Cæſar, are the only events that diſtinguiſh the Conſulſhip of M. Antonius.

His Prætorſhip had been more illuſtrious, during which he overcame the Pirates, who appear in this place for the firſt time in hiſtory; but of whom we ſhall have much to ſay in the ſequel. He purſued them as far as Cilicia, which was their aſylum and rendezvous; and ſome probable conjectures give room to believe, that he gained advantages over them conſiderable enough to deſerve a triumph. This was in the third or fourth Conſulſhip of Marius. Pigh. Annal. ad n. 651.

Q. CÆCILIUS METELLUS NEPOS. A. R. 654. Ant. C. 98.
T. DIDIUS.

Whatever honour a triumph might do M. Antonius, his eloquence made him ſtill more remarkable, both during his life, and to poſterity. He gave a glorious proof of it this year in the cauſe of M'. Aquillius, who had terminated the war againſt the ſlaves of Sicily with equal valour and ſucceſs; but who did not pique himſelf ſo much on his probity as on his courage, and whom the love of money had induced to commit many acts of injuſtice. He was in conſequence accuſed of extortion. Facts were cited, witneſſes produced, and proofs employed againſt him, that were unanſwerable. He encreaſed the danger he was in by his pride, which would neither ſuffer him to put on the ſuppliant, nor to implore the mercy of his judges. If ever cauſe was deſperate, his was; and his condemnation ſeemed inevitable.

But his advocate was one of the moſt excellent orators Rome had ever produced. Antonius wanted nothing, either on the ſide of nature, or on that of art,

A. R. 654. Ant. C. 98.

art, which he however diſguiſed, * affecting no great cultivation of mind, from the belief that his diſcourſe would make the greater impreſſion on his hearers, becauſe they would have leſs ſuſpicion of him. He † ſeemed to plead without any preparation; but however was ſo well prepared that his judges did not ſeem always ſufficiently ſo to be upon their guard againſt the latent art of his pleadings. His great talent conſiſted in moving the paſſions; and never did that talent appear with greater luſtre than in a diſadvantageous cauſe, as was that of Aquillius. It is himſelf, or if you will, Cicero in his name, who makes this remark. "When ‡ the judges incline in my favour, and give in of themſelves to what I would have them, I take the advantage of that favourable diſpoſition, and make all the ſail I can with the wind. But when I find them indifferent and unaffected, the thing is more difficult: for then the orator muſt produce, or in a manner create anew, by the pure force of eloquence, all the ſentiments he has occaſion to excite, without the aid or favour of any previous diſpoſition, independent of himſelf. However, I do not deſpair. For eloquence, which a good poet juſtly ſtiles, "the miſtreſs of the affections "of the mind, the queen that exerciſes abſolute do-"minion over mankind," eloquence has an invincible force, that nothing can reſiſt. Little ſatisfied with

* Antonius probabiliorem hoc populo orationem fore cenſebat ſuam, ſi omnino didiciſſe nunquam putaretur. De Orat. ii. 4.

† Erat memoria ſumma, nulla meditationis ſuſpicio. Imparatus ſemper ad dicendum ingredi videbatur: ſed ita erat paratus, ut Judices, illo dicente, nonnunquam viderentur, non ſatis parati ad cavendum fuiſſe. Cic. Bruto, 139.

‡ Si ſe dant [Judices,] & ſua ſponte, quo impellimus, inclinant atque propendent; accipio quod datur, & ad id, unde aliquis ſtatus oſtenditur, vela do. Sin eſt integer quietuſque judex, plus eſt operis; ſunt enim omnia dicendo excitanda, nihil adjuvante naturâ. Sed tantam vim habet illa, quæ rectè à bono poëta dicta eſt "flexanima "atque omnium regina rerum oratio," ut non modo inclinantem impellere *, aut ſtantem inclinare, ſed etiam adverſantem & repugnantem, ut imperator bonus ac fortis capere poſſit. De Orat. ii. 187.

* I read Impellere inſtead of Erigere, which ſeems contrary to all the reſt of Cicero's meaning here.

itſelf

A. R. 634
Ant. C.
98.

itſelf, when it has only to give the bent to which men are already inclined, or to overcome their unmoved indifference; it glories in bearing down all before it, notwithſtanding their reſiſtance, and in compelling them by victorious efforts to ſurrender their arms."

It was in this manner Antonius pleaded the cauſe of which I am now ſpeaking. After having made the moſt in his diſcourſe of all that could be ſaid in favour of Aquillius, when he was going to conclude, he ſeized him by the arm, tore open his veſt before, and ſhewed the judges the ſcars of the glorious wounds he had received in different battles. He alſo expatiated very much upon another wound, which had been given him laſt of all in the head by Athenion, that brave chief of the revolted ſlaves.

It is eaſy to conceive what effect ſuch a ſight muſt have produced upon the minds of the judges, when attended with ſtrong and pathetic expreſſions, that argued an heart highly touched with grief and compaſſion. "I could not, ſays he, * have excited theſe ſentiments in others, if I had not been highly affected with grief myſelf. And how could I be otherwiſe, when I ſaw a man, not long before honoured with the Conſulſhip, the command of armies, and a triumph, in affliction, humiliation; in danger of loſing his honour and his country, and reduced to the moſt deplorable ſtate in the world? Marius, who

* Nolite exiſtimare—quum mihi M. Aquillius in civitate retinenda eſſet, me, quæ in illa cauſa peroranda dixerim, ſine magno dolore feciſſe. Quem enim ego Conſulem fuiſſe, Imperatorem ornatum senatu, ovantem in Capitolium aſcendiſſe meminiſſem, hunc quum afflictum, debilitatum, mœrentem, in ſummum diſcrimen adductum viderem, non priùs ſum conatus miſericordiam aliis commovere quam miſericordiâ ſum ipſe captus—

Quum C. Marius mærorem orationis meæ præſens ac ſedens multùm lacrymis ſuis adjuvaret, quumque illum ego crebrò appellans, collegam ei ſuum commendarem, atque ipſum advocatum ad communem imperatorem fortunam defendendam invocarem: non fuit hæc ſine multis lacrymis, non ſine dolore magno miſeratio, omniumque deorum hominum & civium & ſociorum imploratio. Quibus omnibus verè quæ à me tum ſunt habita, ſi dolor abfuiſſet meus, non modo non miſerabilis, ſed irridenda fuiſſet oratio mea. De Orat. ii. 194, & 196.

A. R. 654. Ant. C. 98.

was preſent, and ſhewed the concern he was in in reſpect to the ſentence, that was upon the point of being paſſed, was a great aſſiſtance to me, and much enforced my diſcourſe by the tears he ſhed. I frequently addreſſed myſelf to him, recommending to him a friend and ancient Collegue, and repreſenting, that the cauſe I pleaded was the common cauſe of all Generals of armies. I implored the aid of gods and men, of citizens and allies, in favour of my client; and in all I ſaid, I introduced a reality of paſſion, a grief of heart, without which my diſcourſe, ſo far from moving, would have been laughed at."

The ſucceſs anſwered the wiſhes and hopes of the pathetic orator. "The * judges, ſays Cicero, in one of his orations, were afraid, that if they condemned a perſon whom fortune had preſerved from the ſwords of the enemy, and who had not ſpared himſelf for the ſafety of the State, he would ſeem to have eſcaped ſo many dangers, leſs to be the ornament and glory of that empire, than a victim to the mercileſs rigour of the judges." Aquillius was acquitted, and gaining the cauſe acquired his defender univerſal admiration. I have dwelt the more willingly upon this fact, as Livy had mentioned it, which appears from Epitome LXX. Beſides which, it is not uſeleſs, even to hiſtory, to obſerve in ſo famous a example as this is, that the manner of pleading among the Romans was very different from ours; and that if ours be more cloſe, preciſe, and confined to arguments and proofs, theirs, by taking in a great field, gave room at the ſame time for greater ſtrokes of eloquence.

It might perhaps have been deſired for the good of the provinces, that Antonius's eloquence had not made ſo great an impreſſion upon Aquillius's judges, and that the accuſed had undergone the ſentence

* Eo adduxit eos, qui erant judicaturi, vehementer ut vererentur ne quem virum fortuna ex hoſtium telis eripuiſſet quum ſibi non perciſſet, hic, non ad populi Romani laudem, ſed ad Judicum crudelitatem videretur eſſe ſervatus. In Verr. v. 3.

extorti

extortions deſerved, in like manner as he had received a triumph as the juſt reward of his valour and ſervices. For the avidity of the Roman Generals and Magiſtrates encreaſed from day to day, and the ſubjects of the empire were expoſed to all kinds of oppreſſions from them. Theſe exceſſes were practiſed with greater licence, as the Roman Knights, who had the ſole adminiſtration of juſtice in Rome, were intereſted in favouring them. For the publicans, or tax-farmers, as we have already obſerved more than once, were of the order of Knights. In conſequence, the Proconſuls and Proprætors, by overlooking the avidity of the publicans in the provinces, were ſure of gratifying their own with impunity, as their judges at Rome were the friends, partners, and aſſociates of thoſe they ſupported in their oppreſſions.

A. R. 654. Ant. C. 98.

Diod. ap. Valeſ. l. xxxvi.

There were ſtill however ſome amongſt the Roman Magiſtrates who did not ſuffer themſelves to be carried away by the torrent of bad example, and who even thought it for their honour to oppoſe it. Hiſtory gives us two of this kind at the time of which we are ſpeaking, though it is not eaſy to determine exactly the year they governed their happy provinces.

The firſt is Q. Mucius * Scævola, who was ſent Proconſul into Aſia. His firſt care was to chuſe an excellent Lieutenant-General, the virtuous Rutilius, who was his friend and principal counſellor. Integrity and incorruptibility are the leaſt virtues that deſerve praiſe in Scævola. He ſcarce exacted the ſums from the provinces that cuſtom admitted him to levy for the ſupport of himſelf and his houſhold. He found a better reſource, which was that of a frugal ſimplicity. But what did him the greateſt honour was, notwithſtanding the enormous credit of the Roman Knights, his generouſly attacking the publicans who had committed oppreſſions, and puniſhing them with ſtrict juſtice. He gave ear to the complaints brought

* This is Scævola the Pontiff, who muſt not be confounded with Scævola the Augur, of whom we have ſpoken elſewhere.

A. R. 654. Ant. C. 98. againſt them, and if they were proved, condemned them to make the injured amends; and to reduce them to do ſo, gave them up according to the Roman laws to their adverſaries. It was a very unexpected and grateful ſight to all Aſia, to ſee thoſe haughty oppreſſors dragged to priſon in their turn by thoſe they had robbed. If he treated the maſters in this manner, we may reaſonably believe that their inferior officers, who were commonly only ſlaves, were not ſpared. One of theſe, who was a kind of principal agent to them, Scævola ordered to be crucified, though he had already negotiated his liberty with his maſters, and was ready to pay the price for it. By this conduct he regained the Roman People the affection of the Aſiaticks; and acquired it ſo much for his own perſon, that according to an impious cuſtom, though authorized by idolatry, they eſtabliſhed a feſtival in honour of him, which was called the Mucian feaſt. The Senate afterwards propoſed the conduct of Scævola to Proconſuls, as the model by which they ſhould direct themſelves. We ſhall ſoon ſee in what manner the Roman Knights revenged themſelves upon Rutilius; probably not having occaſion to do ſo upon Scævola.

Cic. in Verr. ii. 51. Val. Max. viii. 15.

The ſecond example which I am to relate, is that of L. Sempronius Aſellio, Prætor of Sicily. To give an idea of the wiſdom of his government in a word, it ſuffices to ſay, that he was the worthy imitator of Scævola. But one circumſtance, which highly merits our notice, is his peculiar attention in protecting the weak. Other Prætors gave guardians to young perſons and women who had no near relations. As to him, he made himſelf the guardian of all thoſe who had none; and taking care of their affairs perſonally, preſerved them from oppreſſion. In a word, by being the avenger of all injuſtice, public or private, he reſtored thoſe happy times in Sicily, of which it had almoſt loſt the remembrance.

Diod. ibid.

CN. CORNELIUS LENTULUS. A. R. 655.
P. LICINIUS CRASSUS. Ant. C. 97.

The ſecond of the two Conſuls of this year is the father of the famous Craſſus, one of the firſt Triumvirate with Pompey and Cæſar.

A decree of the Senate was paſſed under theſe Conſuls, to prohibit human ſacrifices. For hitherto, to the diſgrace of human nature, and of the Roman nation in particular, thoſe abominable ſacrifices had been practiſed at Rome by the publick authority. This is the firſt time they were forbad; nor did this prohibition ſuffice to aboliſh them. If we may believe Dio, Cæſar revived them: and Pliny tells us, that the age in which he lived had more than once been witneſs of them. Plin. Hiſt. Nat. xxx. 1. Dio, l. xliii. Plin. xxvii. 1.

A reſolution having been taken for creating Cenſors, every body expected that Marius, who was then returned to Rome, would ſtand for that office. But ſince the affair of Saturninus, his credit was ſo much declined, both with the Nobility and People, that he was afraid to preſent himſelf for fear of being rejected. He however gave the thing a turn to his advantage, in ſaying, that he was unwilling to render himſelf odious, by the ſeverity the Cenſorſhip would have made incumbent upon him. M. Antonius and L. Valerius Flaccus were elected Cenſors. Plut.

The particulars of their conduct in that office is not come down to us. All that we know is, that they nominated M. Æmilius Scaurus Prince of the Senate, and ſtruck M. Duronius out of the liſt of Senators, becauſe when he was Tribune of the People, he had repealed the * law for moderating the expences of the table. Valerius Maximus places the unworthineſs of this Tribune's behaviour in all its light. He tells us, that he aſcended the Tribunal of

* The laſt law of this kind was the law Licinea, of which we have ſpoke before.

A. R. 655. Ant. C. 97. Harangues to make the following complaints to the People: "A check is laid upon your luxury, Romans, which you ought not to endure: your liberty is laid under a reſtriction that ſhould be inſupportable to you. A law is made to oblige you to be frugal. We cancel and annul that decree, as ſavouring of the ruſt of rude and ſavage antiquity. For in a word, of what uſe is liberty to you, if you are not permitted to periſh by luxury, as you deſire it?" The ſenſe of the diſcourſe held by the Tribune for aboliſhing the law in queſtion muſt indeed have been to this effect.

A. R. 656. Ant. C. 96.

CN. DOMITIUS AHENOBARBUS.
C. CASSIUS LONGINUS.

The Roman greatneſs increaſed by every kind of method. We have ſeen Attalus Philometor, King of Pergamus, bequeath his dominions to the Romans by will. This year Ptolomæus Apion did the ſame. He was the natural ſon of Ptolomæus Phyſcon, King of Egypt, who at his death had provided for his eſtabliſhment, by giving him Cyrenaica and the adjacent countries. This partition of the kingdom of Egypt was to have ceaſed, as it ſeemed, after the death of the perſon for whom it had been made. Apion preferred the Romans, and thereby diminiſhed the power of the Ptolomies, which was not a little declined already from domeſtick diviſions and civil wars. The Romans gave the cities lately bequeathed to them liberty. They were inhabited by Greeks, to whom ſuch a preſent was infinitely agreeable; and the Romans thereby avoided the ſuſpicion of avidity.

T. Didius, who had been Conſul in 654, had made war during two years after in Spain with conſiderable ſucceſs. But we ſhould have been entirely ignorant of all that had paſſed during his command, if Sertorius had not ſerved under him as Tribune of the ſoldiers. That has preſerved us a fact related by Plutarch, in which we ſhall diſcern the genius of Sertorius,

rius, who was a man of great preſence of mind, and knew how to unite ſtratagem with boldneſs. A. R. 656. Ant. C. 96.

He was in garriſon at Caſtulo, a city ſituated upon the Bætis, or Guadalquivir, and famous in hiſtory from the time of the war with Hannibal. The Roman ſoldiers living in great plenty, made an immoderate uſe of it, and gave themſelves up to wine and every kind of exceſs. The inhabitants of Caſtulo took advantage of this diſſolute negligence. They applied to the Gyriſænii, their neighbours and allies; and having obtained aid from them, which they ſecretly introduced into their city, they fell upon the Romans, of whom they killed a great number. Sertorius eſcaped, and having aſſembled all thoſe who had found means to quit the place, he went round it to the gate where the ſuccours had entered. The Barbarians had not taken the precaution to poſt a guard there. Sertorius ſeized and left a party in it, and falling upon the Spaniards, put them all to the ſword.

This was not all. He made the Romans put on the habits of thoſe they had lately killed, and led them immediately to the city of the Gyriſænii. The latter, deceived by the Spaniſh habits, believed them their own citizens and allies returned with victory, and opened their gates to them. Sertorius killed abundance of them, and ſold the reſt, who ſurrendered at diſcretion; and in this manner not only recovered a city which had been almoſt loſt to the Romans, but added a new conqueſt to it.

L. Licinius Crassus. A. R. 657. Ant. C. 95.
Q. Mucius Scævola.

The two Conſuls of this year are extremely illuſtrious. The one was the orator Craſſus, whoſe eloquence is ſo much celebrated by Cicero. I have ſpoke of him elſewhere with ſufficient extent. The other is the ſame Scævola, whoſe admirable conduct in the Proconſulſhip of Aſia I have related juſt above.

A. R. 657. Ant. C. 95. They lived in great friendſhip, and had been Colegues in all the great offices, except the Tribuneſhip, which Scævola had not exerciſed till a year after Craſſus. They reſembled each other very much in their talents. For they were * both orators and lawyers, but with this difference; Scævola excelled moſt in the knowledge of law, and Craſſus in eloquence. The ſame was obſerved in every thing elſe. They were † alike in all things, uniting in themſelves, but in an unequal degree, qualities that balanced each other, ſo that it was hard to know to which to give the preference. Craſſus, of all thoſe who were ſtudious of elegance and the ornaments of ſpeech, was the perſon who employed both with moſt moderation and reſerve; and Scævola, of thoſe who piqued themſelves upon being ſparing and reſerved in reſpect to ornaments, gave moſt elegance to his ſtile. Craſſus united a ſerious and ſomething ſevere air, with great natural politeneſs: Scævola tempered the ſeverity, which was natural to him, with polite and inſinuating behaviour.

The Conſulſhip of theſe two great men furniſhes us no other conſiderable event, except a law, which they paſſed in concert, to prevent uſurping the freedom of Rome, which abundance of Latines and other Italians had aſſumed, without any legitimate title or pretence. It had long been neceſſary to obviate frauds of this nature, that multiplied exceedingly. I have related the precautions which were taken to remedy this abuſe in the Conſulſhip of C. Claudius and Ti. Sempronius, A. R. 575. The thing was carried much farther by M. Junius Pennus, Tribune of the People, who in 626, paſſed a law to oblige all perſons, who were not

* Eloquentiam juriſperitiſſimus Craſſus, juriſperitorum eloquentiſſimus Scævola putabatur. Cic. Brut. 145.

† In reliquis rebus ita diſſimiles erant inter ſeſe, ſtatuere ut tamen non poſſes, utrius te malles ſimiliorem. Craſſus erat elegantium parciſſimus, Scævola parcorum elegantiſſimus. Craſſus in ſumma comitate habebat etiam ſeveritatis ſatis; Scævola multa in ſeveritate non deerat tamen comitas. Id. ibid. 148.

citizens, to quit Rome; a cruel law *, a law contrary to humanity, which C. Gracchus, then very young, oppoſed with all his might, but ineffectually. The law of our two Conſuls was wiſe. It is unjuſt, and contrary to good order, that thoſe who are not citizens ſhould paſs themſelves for ſuch: and this was all that it prohibited. It was however charged with having hurt the Commonwealth, and occaſioned the revolt of the ſtates of Italy, and the war with the allies. But the evil was of more ancient date, and had a deeper root. A. R. 657. Ant. C. 95. Cic. pro Cornel. & ibi Aſcon.

We do not know what province fell to Scævola. But he renounced it. He could not add any thing to the glory he had acquired in his government of Aſia.

Craſſus, after the year of his Conſulſhip was elapſed, went to Gallia Ciſalpina, which was his province; and all his wiſdom was not proof againſt the deſire of a triumph. He checked the incurſions of ſome mountaineers, who from time to time to time infeſted the low country. But his exploits were neither conſiderable, nor the war itſelf very neceſſary; if it be true, as † Cicero elegantly ſays, that he was almoſt for fencing with the rocks of the Alps; and ſought matter of triumph, where there was no enemy. Accordingly he demanded a triumph, and his credit was ſo great in the Senate that he would have obtained it. But Scævola's auſterity interpoſed. Though he was his friend and collegue, he preferred the honour of the Commonwealth to private ties, and prevented his demand from being granted.

For the reſt, Craſſus acted in his government with the utmoſt virtue and integrity. And Carbo, the ſon of him he had accuſed and cauſed to be con- Val. Max. iii. 7.

* Eſſe pro cive qui civis non ſit, rectum eſt non licere: quam legem tulerunt ſapientiſſimi Conſules, Craſſus & Scævola: uſu verò urbis prohibere peregrinos, ſanè inhumanum eſt. Cic. de Offic. iii. 47.

† L. Craſſus, homo ſapientiſſimus noſtræ civitatis, ſpiculis prope ſcrutatus eſt Alpes; ut ubi hoſtis non erat ibi triumphi cauſam aliquam quæreret. Cic. in Piſ. 62.

demned,

A. R. 657. Ant. C. 95. demned, coming into Gaul to be a ſpy upon his actions, that wiſe Magiſtrate was ſo far from fearing him, that he aſſigned him a place by his ſide on his tribunal, and gave judgment on no affair except in his preſence, and before his eyes: a noble confidence, and more for his honour than his great talents!

Whilſt Craſſus was at Rome, and ſtill Conſul, the Tribune Norbanus excited a violent ſedition there, by accuſing Cæpio before the people. I have related the particulars of it above, and the event in reſpect to Cæpio. This affair had conſequences to Norbanus, of which I am going to give an account.

A. R. 658. Ant. C. 94.

C. COELIUS CALDUS.

L. DOMITIUS AHENOBARBUS.

Under theſe Conſuls Norbanus was cited to take his trial, as guilty of high-treaſon, by the ſedition of which he had been the author. Hiſtorians are allowed to deſcribe battles between Generals in the field; and wherefore ſhould they not be alſo indulged in relating conflicts of another kind, but not leſs affecting and inſtructive to a great number of readers? I mean thoſe of eloquence between the moſt illuſtrious orators of antiquity. We are going to ſee one, of which Cicero has explained to us the whole art and addreſs. Sulpicius was the accuſer of Norbanus, whom Antonius defended. What has hitherto been ſaid of Antonius ſuffices for our knowledge of him.

Cic. de Orat. i. 231, 232. Sulpicius was then very young. He was deſigned by nature to be a great and ſublime orator. He had fire, vehemence, and elevation of mind. As to all the parts that conſtitute the eloquence of the body, an happy and noble phyſiognomy, the graces and dignity of action, a ſweet, and at the ſame time a ſtrong voice; all theſe advantages he poſſeſſed in an

Ibid. 88, 89. eminent degree. But let us hear what Antonius is going to ſay of him. "I heard Sulpicius plead, whilſt very young, a cauſe of no great conſequence; and was charmed with him. His elocution only

ſeemed

ſeemed to have a little too much of the vivacity of his years: it was bold and too luxuriant. This did not diſguſt me: for I deſire and love that abundance of thoughts and expreſſions in a young man, though it exceeds bounds, and in a certain degree departs from juſtneſs and propriety. Finding his genius ſo happy, I ſtrongly exhorted him to cultivate it with care; to conſider the bar as the beſt ſchool in which he could form himſelf; and to make ſome one of the moſt illuſtrious orators his model; adding, that, if I might adviſe him, he would make choice of no other but Craſſus. He took my advice, and told me out of politeneſs, that he alſo deſired to have me for his maſter. A year was ſcarce elapſed after this converſation, when he accuſed Norbanus, whoſe defence I took upon myſelf. I cannot expreſs the change I obſerved in what he now was, from what he had been but an year before. His genius naturally led him to that lofty and magnificent kind of eloquence, which we admire in Craſſus: but he would not have attained to it, if to his happy faculties he had not added aſſiduous application; and in pleading had not employed his whole attention in imitating the excellent model he had propoſed to himſelf." A. R. 658. Ant. C. 94.

We ſee here the great uſe of which ſenior orators of the firſt rank may be to thoſe who enter upon the noble profeſſion of the bar: and in my opinion it is matter of great conſolation to them, to ſee a ſhining and laborious youth tread in their ſteps, by improving from their advice, and following their example.

I come now to the cauſe of Norbanus, upon which Antonius explains himſelf admirably. He had inſiſted much upon this fundamental maxim in eloquence, that the orator himſelf ſhould be ſtrongly moved, if he would move others: after which he proceeds in the following manner, addreſſing himſelf to Sulpicius. "But what need I obſerve this to you, you, who when you ſet up for the accuſer of Norbanus, who had been my Quæſtor, ſo ſtrongly animated the

A. R. 658. Ant. C. 94. the Judges, not only by the energy of your diſcourſe, but ſtill more by the warmth of the ſentiments of grief and indignation with which you ſeemed penetrated, that I was almoſt afraid to attempt to extinguiſh the kind of flame you had kindled in the minds of all that heard you?

"Indeed, in the cauſe you pleaded, every thing favoured you. You laid before the Judges matters of truly great import; a publick violence, an aſſembly obliged to diſperſe by flight, ſtones diſcharged in vollies by the ſeditious, a cruelty that roſe to exceſs againſt the unfortunate Cæpio, the moſt illuſtrious citizen of Rome; the Prince of the Senate (Scaurus) wounded by a ſtone; and laſtly, two Tribunes of the People driven by force from the Tribunal of Harangues: all this ſeemed atrocious, and could not be denied. Beſides which, the laudable zeal profeſſed by ſo young a man as you, for the good order and honour of the Commonwealth, was generally applauded: whereas it ſeemed ſcarce conſiſtent for an old Cenſor, as I was, to defend a ſeditious citizen, and one who had taken upon him to encreaſe the misfortune of a perſon of Conſular dignity. We had excellent citizens for our judges: the publick place was full of perſons of worth; ſo that it was not without great difficulty I was allowed ſome ſhadow of excuſe, on account after all, that the perſon I defended had been my Quæſtor.

"It was in this diſpoſition of mind I found every body. Whether there was art, or not, in my diſcourſe, you will judge. As to me, I ſhall content myſelf with relating what I did. I ran over all the different kinds of ſeditions that had diſturbed the Commonwealth, tracing them back to the moſt remote times: I did not palliate their inconveniences and dangers; and concluded, that indeed all theſe ſeditions had been unhappy; but that ſome ought however to be conſidered as juſt and neceſſary. I ſhewed, that the Kings could neither have been expelled, Tribunes created, limitations given to the Conſular

power

power by the decrees of the People, as had been ſo often done, nor the right of appealing to the People inſtituted; that right, which may juſtly be termed the aſylum of the citizens, and the bulwark of liberty, without a ſtrong reſiſtance on the ſide of the Nobility, attended with violent commotions. That conſequently, if all theſe ſeditions had been ſalutary to the Commonwealth, tumultuous commotions excited by the People on the affair in queſtion ought not to be imputed, without ſtrict enquiry, to Norbanus as a capital crime. A. R. 658. Ant. C. 94.

"After this firſt ſtep, I proceeded to a ſecond. I added, that if it were allowed, that the People, on ſome occaſions, had juſt reaſon for violence and inſurrection, as could not be denied, they certainly never had a more legitimate cauſe for them than in the preſent caſe. In this place I gave a looſe to my genius: I inveighed ſtrongly againſt Cæpio's ſhameful flight: I deplored the loſs of the army. I thereby revived the grief, and opened the wounds of thoſe, who lamented their relations killed in that unfortunate battle: and at the ſame time I reanimated, and ſupported with the motive of publick good, the hatred of the Roman Knights, our judges, for Cæpio, who had deſired to diveſt them, at leaſt in part, of the adminiſtration of juſtice.

"When I perceived that I had gained the aſcendant of my audience, and that the judges ſeemed to have become favourable to my cauſe; to the warm and vehement paſſions I had hitherto employed, I ſubſtituted mild and more ſoothing ſentiments. I repreſented that my all was now in queſtion: that I ſpoke for a friend, who having been my Quæſtor, according to the maxims of our anceſtors, ought to be as dear to me, as if he were my own ſon. That after having frequently been of ſome ſervice to unknown perſons, with whom I had no other tie than that of being citizens of the ſame ſtate, it would be equally afflictive and ſhameful to me, not to have it in my power to lend the like aid to a man with whom I had ſo ſtrict

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A. R. 658. Ant. C. 94. an union. I deſired the judges, that they would ſuffer themſelves to be moved out of conſideration for my age, the offices with which I had been honoured, the ſervices I might have rendered the Commonwealth, and laſtly, with the juſt and tender ſorrow with which they ſaw me ſo much affected: that they would not refuſe me the firſt grace I had ever aſked them perſonally for myſelf, having never uſed my intereſt for other accuſed perſons I had defended, but as for my friends, whereas at preſent I conſidered the danger as my own.

"I managed this cauſe therefore in a manner that might ſeem contrary to the rules of art, but with ſucceſs. I touched but lightly upon the crime of treaſon to the ſtate, which was the chief point of the charge. The whole weight of my argument turned upon the paſſions and manners; that is, I confined myſelf on one ſide, to revive the ſentiments of hatred againſt Cæpio with vehemence; and on the other, to conciliate the affection of the judges to myſelf, by expreſſing the character of a tender and faithful friend. It was in this manner, Sulpicius, that by rather moving the heart, than convincing the reaſon, I triumphed over your accuſation."

This account of Antonius is further cleared up and confirmed by Sulpicius's anſwer. "Nothing is more true, ſaid he to Antonius, than what you have now related. For if ever I thought myſelf ſecure of ſucceſs, it was on this occaſion, in which I however ſaw it eſcape on a ſudden out of my hands. When, after having kindled what you call a flame in the minds of the judges, I left you to ſpeak: great gods, what an introduction was yours! What fear, trouble, heſitation, even to the ſyllables of your words, did you expreſs! In what a manner did you lay hold of the only circumſtance that could ſerve you as ſome excuſe, the ſtrict union eſtabliſhed by our laws and cuſtoms between a Conſul and his Quæſtor? With what addreſs did you take the advantage of that point, for attaining a favourable beginning with the Judges! I how-

I however was not diſcouraged, imagining that all you would be able to gain by the fine and exquiſite turns of an artful diſcourſe, was, that in favour of your particular engagements with Norbanus, you would be excuſed for taking upon you his defence; and for charging yourſelf with a bad cauſe. But I was ſoon undeceived. You did not confine yourſelf to that; but inſenſibly inſinuating yourſelf into favour, you carried your pretenſions much farther. Nobody perceived it yet: but I began to fear in earneſt, when I ſaw you give the cauſe a turn, by the means of which all that had paſſed was no longer a ſedition, but an effect of the juſt wrath of the Roman People. What arguments did you not employ againſt Cæpio! What abhorrence and indignation did your diſcourſe not breathe againſt the author of a bloody defeat; and at the ſame time, what commiſeration, as well for the Commonwealth, as for the individuals who had periſhed in the battle! In the ſame manner you treated every thing that related to Scaurus and my other witneſſes, not by refuting their depoſitions, but by aſcribing the whole to the well-grounded reſentment of the People." A. R. 656. Ant. C. 98.

Norbanus was in conſequence acquitted, and the eloquence of Antonius again ſaved a criminal from the puniſhment he deſerved. The Judges at Rome ſeem to have conſidered themſelves next to abſolute maſters of the fate of the accuſed, rather than as ſlaves to the law. And happy it was when their caprice diſpoſed them to afford a criminal grace, and not to deſtroy an innocent perſon.

The orator's addreſs is however laudable in itſelf; and I thought I might be allowed to give it a place here, the rather, as facts purely hiſtorical are abſolutely wanting at this period. It may ſerve both as a caution againſt the like artifices, and an example, in caſe of defending a good cauſe, but one compounded with, and obſcured by, odious prejudices. In this light let me be indulged to make the following compariſon.

It

A. R. 658. Ant. C. 94.

It were undoubtedly to be deſired, in order to form young Noblemen intended for the profeſſion of war, that the great Generals, who, by the conſent of the publick, have diſtinguiſhed their ſuperior merit in it, would take the trouble, after events are paſſed, to give us with their own hands the general plan of a campaign, conceived and contained in the head of only one perſon; the remote meaſures taken for a ſiege or a battle; the profound ſecrecy that prevented them from coming to the enemy's knowledge; the true cauſes of the ſucceſs or miſcarriage of an enterprize; and many other the like circumſtances, which, properly ſpeaking, are the ſoul both of an action and an hiſtory. And is it leſs uſeful for young advocates and perſons intended for the bar, to be taught from his own mouth by one of the moſt famous orators of the ancient world, the whole art he uſed, and all the ſecret ſprings he employed, in a cauſe bad indeed, but which the beſt may reſemble in point of difficulty? Is there any ſyſtem of rhetorick comparable to ſuch obſervations? Accordingly * Sulpicius, who had earneſtly entreated Antonius to give him precepts of eloquence, confeſſes, that the explanation he had been pleaſed to repeat of what he practiſed himſelf in his pleadings, was infinitely more uſeful than all the precepts in the world †.

A. R. 659. Ant. C. 93.

C. VALERIUS FLACCUS.

M. HERENNIUS.

Sylla, of whom nothing is ſaid in hiſtory from the battle with the Cimbri, in which he ſerved under Catulus, is now to appear again upon the ſtage, where he will have a principal figure to the end of

* Quæ quum abs te modò commemorarentur, equidem nulla præcepta deſiderabam. Iſtam enim ipſam demonſtrationem defenſionum tuarum abs te ipſo commemoratam doctrinam eſſe non mediocrem puto. Cic. ii. de Or. 204.

† Here Monſieur Rollin's manuſcript ends.

his

his life. He was a Prætor this * year or the next. A. R. 659. Ant. C. 93. But, what is ſingular, this man, deſtined in a ſhort time to ſee the whole Roman Empire ſubjected to his ſway, found it ſufficiently difficult to obtain the Prætorſhip; and he did not get it till he had experienced a refuſal. He endeavoured in the memoirs, which he wrote of his life, to diſguiſe the true cauſe of this repulſe, by ſaying, that the People were for forcing him to ſtand for the Ædileſhip, becauſe thoſe who had that office were obliged to exhibit games, and they expected very magnificent ones from him, in effect of his correſpondence with Bocchus. According to Plutarch, the truth is, he conceived that he ſhould carry the ſuffrages irreſiſtibly, by the mere recommendation of his name and merit. He was miſtaken. The People would be ſollicited, and often even paid. Sylla, taught by experience, ſtood again after the delay of one year; and partly by popular behaviour, which he well knew how to employ, and partly by money, he obtained the Prætorſhip. Accordingly, in a quarrel which he had with Cæſar Strabo, a man of wit, praiſed by Cicero for his pleaſantry and facetiouſneſs, as he threatened him with uſing the power of his office: "Right," replied Cæſar, laughing, "it is your office indeed; for you bought it and paid for it."

For the reſt, Sylla gratified the People in reſpect to the ſhews. He exhibited a combat of an hundred lions, which Bocchus had ſent him from Africa, with people of the country accuſtomed to fight with thoſe terrible animals. And as in this kind of games the danger increaſes the pleaſure and admiration, it is obſerved, that Sylla was the firſt that made lions fight without chains; whereas till then precaution had been taken, prudently, no doubt, not to fight thoſe beaſts without their chains. Plin. viii. 16. & Sen. de brev. vit. c. 13.

This year the poet Lucretius was born.

* Pighius and Freinſhemius date Sylla's Prætorſhip in this year. Something Vell. Paterc. ſays, ii. 15, ſeems to make it a year later.

A. R. 660. Ant. C. 92.

C. Claudius Pulcher.
M. Perpenna.

Plut. ibid. Sylla, after having paſſed the year of his Prætorſhip in Rome, according to cuſtom, was ſent into Cappadocia, to ſet Ariobarzanes upon the throne, who had been lately elected with the approbation of the Romans. Theſe facts will be related elſewhere with more extent. Sylla ſucceeded in this without much difficulty, and ſettled Ariobarzanes in poſſeſſion of Cappadocia.

Whilſt he was near the Euphrates, he received an Ambaſſador from the King of the Parthians. Hitherto that nation had never had occaſion to differ with the Romans: and it has been reckoned among the inſtances of Sylla's good fortune, that he was the firſt Roman to whom the Parthians applied, in order to treat of amity and alliance. In the interview he behaved with an haughtineſs which ſeems not to have diſpleaſed at Rome, but however was not generally approved. Having cauſed three chairs to be ſet, he placed himſelf in that in the middle between King Ariobarzanes and Orabazus. That was the Ambaſſador's name, whom it coſt his life at his return to his maſter, for having ſo ill ſuſtained the honour of the nation.

At Rome the orator L. Craſſus was Cenſor with Cn. Domitius Ahenobarbus. Theſe Cenſors paſſed a decree againſt the Latin rhetoricians, who began to encreaſe in the city, whereas before there were none at Rome but Greek rhetoricians. The latter had in former times experienced the like treatment. But the utility of their inſtruction, and the taſte of the publick, had ſupported them againſt the authority of the Magiſtrates. The Greek ſchools in conſequence enjoyed entire liberty, when the Cenſors, of whom we are ſpeaking, undertook to ſhut up the Latin, which were an innovation. Suetonius has preſerved the ſubſtance of their decree, which I ſhall inſert here, though

though it has already been repeated in the Ancient History. "We have been informed, that there are perſons, who, under the name of Latin rhetoricians, have ſet up a new form of ſtudies and exerciſes, and that youth aſſemble in their ſchools, and paſs whole days therein with little benefit. Our anceſtors have inſtituted what it was proper for their children to learn, and to what ſchools they ſhould go. Theſe new eſtabliſhments, contrary to the cuſtoms and uſage of our anceſtors, cannot be pleaſing to us, and ſeem contrary to good order. Wherefore we think it incumbent on us to make known our opinion, as well to thoſe who have opened theſe ſchools, as to ſuch as frequent them, and to declare to them, that we diſapprove of this innovation." A. R. 660. Ant. C. 92.

This decree, though conceived, as it ſeems, in terms mild enough, however prohibited the Latin ſchools: and it is impoſſible not to be ſurprized to ſee the moſt eloquent man of his age proſcribe an inſtitution that ſeems ſo conducive to the progreſs of eloquence. For what could be more uſeful or wiſe, than early to form youth in writing a language they were to uſe during their whole lives? And accordingly Craſſus, in juſtifying himſelf to Cicero concerning this decree, does not condemn the thing itſelf: he only * taxes theſe new maſters with incapacity; "who, ſays he, teach their diſciples nothing but boldneſs, a dangerous quality even with knowledge, but much worſe when joined with ignorance."

Cicero perhaps puts his own opinion into Craſſus's mouth. However it be, if the Latin rhetoricians were ſuſpended by this ſevere decree, they ſoon after reinſtated themſelves: there were abundance of Greek and Latin ſchools of eloquence in Rome, and youth were accuſtomed to compoſe in both languages; a very uſeful exerciſe, and perhaps indiſpenſibly neceſſary for a nation who had received all their knowledge

* Hos magiſtros nihil intelligebam poſſe docere, niſi ut auderent: quod etiam cum bonis rebus conjunctum, per ſeipſum magnopere eſt fugiendum. De Orat. iii. 94.

A. R. 660. Ant. C. 92. from the Greeks, and to which, in conſequence, it was neceſſary on one ſide to keep up a commerce with its maſters, to prevent falling again into ignorance; and on the other, to transfer all this foreign learning into their own language, that it might be of more general advantage.

It does not appear that the Cenſorſhip of Craſſus and Domitius was either of great utility to the Commonwealth, or reflected much honour upon themſelves. It paſſed almoſt entirely in quarrels and diſputes between them, the ſource of which was their difference of character. Domitius was ſimple and rough; Craſſus, on the contrary, gave into an elegance of living that came very near luxury, and ſcarce left him authority to condemn exceſſes, of which himſelf ſet the example.

Plin. xvii. 1. His Collegue reproached him in particular with his houſe, which was one of the moſt magnificent of Rome: and he inſiſted principally upon the article of ſix trees, which Pliny calls * *Lotus*, that gave a very thick ſhade. Shade muſt either have been very dear, or money prodigiouſly plenty at Rome, as Domitius, Val. Max. ix. 1. according to the eſtimate of Valerius Maximus, who ſpeaks the moſt moderately, makes the price of thoſe trees amount to thirty † millions of ſeſterces, about ſeventeen thouſand pounds ſterling. The houſe of Craſſus was alſo adorned with ſix pillars of the fineſt marble, which might juſtly be deemed a vicious luxury in the houſe of a private perſon, at a time when marble pillars were an ornament unknown even in publick buildings.

Every thing elſe in his houſe was in the ſame taſte. He had beds for the table inlaid with braſs. He was Plin. xxxiii. 11. particularly very curious in plate. Vaſes of ſilver were ſeen on his buffet, of which the faſhion had been ſo coſtly, that he had bought them at the rate of ſix

* An Exotic, known to the curious. The French call it the Micocoulier.

† The text of Pliny ſays much more; but there may be an error in the number.

thouſand

‡ thouſand ſeſterces a pound. He had in particular two cups, made by Mentor, a famous artiſt, that coſt him an hundred thouſand ſeſterces (650 pounds ſterling), an enormous ſum, and which made the purchaſer himſelf bluſh, as he never ventured to uſe what he had paid ſo dear for. A. R. 660. Ant. C. 92.

I am almoſt aſhamed to repeat what Macrobius ſays of the ſame Craſſus, that one of the Murænæ *, which he kept in his fiſh-pond, dying, he had the weakneſs to wear mourning for it. But it is not amiſs to ſee from the like examples, how little the ſame men frequently are in their private conduct, who ſhine ſo much, and make ſo great a figure upon the theatre of the world. Macrob. ii. 11.

Let us conclude all this with a reflexion from Pliny. "Of old, ſays he, the like exceſſes were much condemned. † In our days ſuch complaints are ceaſed, being of no uſe ſince the total extinction of manners. We have ſeen that no prohibitions could put a ſtop to luxury, and it was thought more eligible to have no laws, than to make them only to be violated. Our deſcendants will make our apology, in ſhewing themſelves ſtill more vicious than we."

From what I have juſt related, it reſults, that the reproaches of Domitius were but too well founded againſt Craſſus. And Craſſus, in conſequence, only eluded them by pleaſantries; the ſole reſource of a man of wit, who perceives he cannot defend himſelf.

The Knights had committed many acts of injuſtice ſince their preſiding at trials. But none was more enormouſly atrocious than the condemnation of Rutilius. That man, the moſt virtuous of his times, and who deſerved to be termed the model of probity, had incurred their hatred, as I have ſaid already, by ſeconding the courageous zeal of Scævola, Proconſul Cic. de Or. i. 229.

‡ Six thouſand ſeſterces are about thirty-ſeven pounds ſterling. The Roman pound was but twelve ounces of Troy weight.

* The Lamprey, a fiſh much eſteemed by the Romans.

† Nimirum iſta omiſere moribus victis: fruſtraque interdicta quæ vetuerant cernentes, nullas potius quam irritas eſſe leges maluerunt. Sed & qui ſequentur, meliores eſſe nos probabunt. PLIN. xxxvi. 3.

A. R. 660. Ant. C. 92. Cic. de Or. i. 229—230. Liv. Epit. Diod. ap. Valeſ.

of Aſia, in puniſhing the vexations of the publicans, with his whole power. The Knights deſired to be revenged, and at the ſame time, by a diſtinguiſhed example, to intimidate ſuch magiſtrates as would not connive at their oppreſſion in the provinces. Rutilius, in conſequence, was himſelf accuſed of extortion. To this chief point of the accuſation were added reproaches of debauch and exceſſes, directly the reverſe of his known purity of manners. But could any ſenſe of ſhame be expected from ſuch an adverſary as Apicius, the famous glutton, and the moſt ancient of thoſe who have rendered that name equally odious and contemptible to all poſterity by the phrenzy of that character? He is mentioned as having much contributed in cauſing Rutilius to be condemned. And Marius, who was born to be the enemy and perſecutor of every kind of virtue, did not fail to act alſo againſt a man whoſe merit gave him offence, and who was beſides the friend of Metellus.

Rutilius ſupported this ſtorm with heroick conſtancy. He would neither put on mourning, as was the cuſtom, nor humble himſelf before his judges. Perhaps he even carried his reſolution too far. For he refuſed the aſſiſtance of eloquence. The ſublime talents of Antonius and Craſſus were his reaſon for excluding them. He would not make uſe of their offices. Cotta was however admitted to plead * part of his cauſe, though he made a great figure amongſt the young orators. But he was his nephew. For the reſt he took his defence upon himſelf, and in a manner very little adapted to conciliate the favour of the Judges; lamenting much more the fate of the Commonwealth than his own. Scævola alſo ſtrongly maintained the innocence of his friend and former Lieutenant, and ſpoke in his manner with perſpicuity, elegance, and exactneſs, but without force. Rutilius was condemned.

Antonius, who was extremely afflicted to ſee ſo great and worthy a man condemned unjuſtly, com-

* The reader, I ſuppoſe, remembers that at Rome the ſame cauſe was frequently divided amongſt ſeveral orators.

plains

plains bitterly in Cicero of the ſtoical ſeverity with which he determined to confine himſelf to truth, without permitting eloquence to ſuſtain ſo good a cauſe. A. R. 660. Ant. C. 92.

"* If you had ſpoken upon this affair, ſays he to Craſſus, and had been permitted to treat it in your manner, and not in that of philoſophers, I am convinced that how wicked ſoever the judges might be, though pernicious citizens, though worthy of the greateſt puniſhment, the force and vehemence of your diſcourſe would have triumphed over their barbarity, and eradicated it out of their hearts. But we loſt ſo excellent a man, becauſe his cauſe was pleaded as if we lived in Plato's chimerical republick."

Rutilius ſhewed the ſame courage after his condemnation as he had in danger. Though his ſentence was only to make reparation for the pretended damages laid to his charge, he quitted Rome, as a den of thieves, and retired into the province which had been the witneſs of his virtues, that is, to Aſia, where he firſt ſettled at Mitylene, and then at Smyrna. His eſtate was ſeized and ſold; and was a proof of his innocence: for it did not amount to the ſum he had been condemned to pay; and his papers ſufficiently atteſted the juſt and legal origin of all he poſſeſſed. Dio.

It is eaſy to judge that his glory did not ſuffer from ſo unjuſt a condemnation. He even found in the liberality of his friends, and of thoſe to whom he had done ſervices, an abundant amends for the loſs of his fortune. Scævola forced him to accept conſiderable preſents. And when he approached Aſia, all the different ſtates and people of that province vyed with each other in expreſſing not only their affection and reſpect, but an actual gratitude, which the ſtate of his fortune would not permit him to refuſe: ſo that

* Quod ſi tu tunc, Craſſe, dixiſſes, & ſi tibi pro P. Rutilio non philoſophorum more, ſed tuo, licuiſſet dicere, quamvis ſcelerati illi fuiſſent, ſicuti fuerunt, peſtiferi cives ſupplicioque digni, tamen omnem eorum importunitatem ex intimis mentibus evelliſſet vis orationis tuæ. Nunc talis, vir amiſſus eſt, dum cauſa ita dicitur, ut ſi in illa commentitia Platonis civitate res ageretur. De Orat. i. 230,

A. R. 660. Ant. C. 92. he became richer when baniſhed into Aſia, than he had been whilſt of Conſular dignity at Rome.

He renounced his country for ever: but without departing from the ſentiments of a good citizen. And when a perſon ſaid to him by way of conſolation, that there would ſoon be a civil war, and then exiles would be reinſtated: "* What have I done to you," replied he, "that you ſhould deſire a return more unhappy for me than the neceſſity of departing has been? I had rather ſee my country bluſh for my baniſhment than mourn my return." What he ſaid at this time he thought. For Sylla, when victorious over all his enemies, having invited him to return to Rome, he choſe to remain in exile. He no doubt deſired to ſpare himſelf the mournful ſight of the calamities his country ſuffered. Perhaps alſo, in taking the advantage of Sylla's victory, he was afraid of ſeeming to approve the conduct of a man whoſe cauſe ſeemed good to him, but whoſe proceedings could not fail to give him horror.

It is certain at leaſt, that this manner of thinking highly agreed with the ſtrict probity always profeſſed by Rutilius, and his attention not only to avoid committing injuſtice himſelf, but not to ſhare in that of others. Valerius Maximus relates, that † one of his friends having one day aſked an unjuſt thing of him, and taking ſo much offence on his refuſal, as to ſay to him with indignation, "What ſignifies your friendſhip to me, if you don't do what I deſire of you?" Rutilius retorted in the ſame tone, "And what is yours to me, if I can deſerve it only by vile actions."

Val. Max. vi. 4.

He had always loved and cultivated liberal knowledge. He had ſtudied philoſophy under the cele-

* Quid tibi, inquit, mali feci, ut mihi pejorem reditum quàm exitum optares? Malo ut patria exſilio meo erubeſcat, quàm reditu mœreat. SEN. de Benef. vi. 37.

† Quum amici cujuſdam injuſtæ rogationi reſiſteret, atque is per ſummam indignationem dixiſſet, "Quid ergo mihi opus eſt amicitiâ "tuâ, ſi quod rego non facis?" reſpondit, "Imo quid mihi tuâ, ſi "propter te aliquid inhoneſtè facturus ſum?"

brated ſtoick Panætius. He was very learned in the law. He had not neglected even eloquence; but it was a kind of eloquence that ſuited his auſtere turn of mind, and which could make impreſſion rather by the orator's probity, than inſinuate by the graces of diſcourſe. He had however much employment at the bar, and pleaded often. He had alſo compoſed a Roman Hiſtory in Greek, beſides his own life, which he had probably wrote in Latin. This fund and taſte of erudition and literature, in ſome meaſure univerſal, was no doubt a great reſource to him in his baniſhment.

A.R. 660. Ant. C. 92. Cic. Brut. 113, 114. Athen. l. iv. Liv. xxxix. 12.

We ſhall again have occaſion to ſpeak of Rutilius, on account of the maſſacre of the Romans in Aſia, executed by order of Mithridates.

THE

THE ROMAN HISTORY.

BOOK THE THIRTY-FIRST.

THIS book contains the ſpace of five years, from the 661ſt year of Rome to the beginning of the 666th. Its principal ſubjects are, the war with the allies, and the civil war between Marius and Sylla, to the death of the former.

SECT. I.

War with the allies. Its nature, origin, and duration. Ardent deſire of the allies to have the freedom of Rome. The Senators, to recover the adminiſtration of juſtice, ſupport themſelves with the Tribune Druſus. That Tribune labours to gain the People by laws favourable to the multitude; and the allies, by the promiſe of making them citizens. The Conſul Philippus oppoſes the laws of Druſus. Cæpio, another opponent of Druſus. Violence of Druſus againſt Cæpio and Philippus. The laws paſs. A new law of Druſus to divide the adminiſtration of juſtice between the Senators and Knights. Perplexity of Druſus, who cannot keep his promiſe with the allies. Inflexible conſtancy of Cato whilſt only an infant. Proceedings of the allies. Saying of Philippus injurious

injurious to the Senate. Conteſt on that head between Craſſus and Philippus. Death of Craſſus. Cicero's reflexion on his death. Death of Druſus. His character. All his laws are annulled. Law paſſed by Varius for informing againſt thoſe who had favoured the allies. Cotta accuſed, goes into voluntary baniſhment. Scaurus extricates himſelf out of danger by his conſtancy and haughtineſs. Varius himſelf, condemned by his own law, periſhes miſerably. The allies prepare for a revolt. They form themſelves into a republick. Maſſacre at Aſculum. Open revolt of the ſtates of Italy. Embaſſy of the allies to the Romans, before they enter into the war. They have the advantage at firſt. Unjuſt ſuſpicions of the Conſul Rutilius againſt many of the Nobility. The execution of the law Varia *ſuſpended. Marius adviſes the Conſul to decline a battle ineffectually. Rutilius is defeated and killed. Grief and conſternation of Rome. Cæpio, deceived by Pompedius, periſhes in an ambuſcade with a great part of his army. Victory of the Conſul Julius, which makes the Romans reſume the habits of peace. Victory began by Marius, and compleated by Sylla. Marius declines a battle. He retires with little glory. Sertorius ſignalizes himſelf. He loſes an eye by a wound in battle. His ſentiments on that occaſion. Two ſlaves ſave their miſtreſs at the ſtorming of Grumentum. Victory of Cn. Pompeius, in conſequence of which the magiſtrates of Rome reſume the ornaments of their dignities. Freedom of Rome granted to ſuch of the allies as had continued faithful. Freedmen admitted into the land-ſervice. The Conſul Pompeius preſſes the ſiege of Aſculum. He beats the Marſi, and ſubjects other neighbouring people. A ſlave of Vettius kills his maſter, and then himſelf. The Conſul Porcius is killed in a battle. Young Marius is ſuſpected of being the author of his death. Sylla deſtroys Stabiæ, and beſieges Pompeii. He takes upon him the command of Poſtumius's army, and does not revenge the death of that General murdered by his ſoldiers. He deſtroys an army of the Samnites commanded by Cluentius. He is honoured with a* Corona obſidionalis. *He conquers*

quers the Hirpini. He enters Samnium, and gains ſeveral advantages there. He returns to Rome to ſtand for the Conſulſhip. He glories in the title of Fortunate [Fælix.] *Inconſiſtency of his character. The Marſi lay down their arms. General council of the league transferred to Eſernia. Judacilius, deſpairing to ſave his country Aſculum, poiſons himſelf. Aſculum taken by Cn. Pompeius. Triumph of Cn. Pompeius, in which Ventidius is led captive. Pompedius enters Bovianum in triumph, and is defeated and killed. Embaſſy of the allies to Mithridates to no purpoſe. The war of the allies ſubſiſts only in a languid manner. Eight new Tribes formed by the new citizens. Cenſors. Aſellio, Prætor of the city, aſſaſſinated in the Forum, by the faction of the rich, who lend money at uſury. Law* Plautia, de vi publica. *By another law of the ſame Tribune, the Senators are reſtored to a ſhare in the adminiſtration of juſtice. Sylla is elected Conſul. Debate on that ſubject between him and C. Cæſar.*

ORIGIN of the WAR with the ALLIES.

WE are now come to a war, which the Romans called * the War of the Allies; to diſguiſe, ſays Florus, under a ſofter name what it had of odious in it: for in reality it was a civil war. The ſtates of Italy, againſt which Rome had this war to ſuſtain, had been united with the Romans during ſo many ages, and by ties ſo often and ſo variouſly multiplied, that if they were not citizens that took up arms againſt citizens, they were friends againſt friends, and relations againſt relations; ſo that this war included all the horrors of civil wars.

The origin of it, on one ſide, was the ardent, and, in my opinion, the entirely legitimate deſire of the allies, to become citizens of a Commonwealth of

* Sociale bellum vocetur licet, ut extenuemus invidiam: ſi verum tamen volumus, illud civile bellum fuit. FLOR. iii. 18.

which

which they conſtituted the ſtrength and ſupport; and on the other, the haughtineſs of the Romans, who could not reſolve to ſet ſtates upon a level with themſelves, whom * they were accuſtomed to conſider as ſubjects, honoured with the name of allies.

I ſay, the pretenſions of the Italians ſeem legitimate. For it is evident, that it was by their aid the Romans had conquered all the provinces that compoſed their empire. There was no Roman army in which the Latines and allies did not form the greater half; always ſupplying an equal number of infantry, and twice as many horſe. Vell.ii.15.

On the other ſide, if I impute the refuſal of the Romans to pride and haughtineſs, it is not becauſe I pretend, that good policy could not give ſolid reaſons for oppoſing the mixture of ſuch multitudes of new citizens. But this is too complex a problem for me to attempt to ſolve. I therefore ſhall confine myſelf to facts. It is certain, that the Romans were very proud of their preheminences. It is alſo certain, that they were obliged at laſt to grant thoſe ſtates the freedom they ſo tenaciouſly refuſed at firſt. And had it not been better to have given in at firſt with a good grace, to what they were reduced to do by neceſſity after ſo much bloodſhed?

For this war was very bloody. The ſtates of Italy, according to Velleius, loſt three hundred thouſand fighting men in it. A very great number of Romans alſo periſhed in it in repeated defeats. And it is no wonder they were ſo often defeated. They could not have enemies that were more capable of making head againſt them. Both ſides had the ſame arms, the ſame diſcipline, exerciſes, and knowledge of all that relates to the art of war: and though, during a great length of time, no Italian had commanded in chief, there were however Generals amongſt them. Vell.ii.15.

* The condition of the ſtates, which the Romans treated as allies, is well expreſſed in a paſſage of Livy, ſpeaking of the Achaians. Specie æquum eſt fœdus apud Achæos, re precaria libertas: apud Romanos etiam imperium eſt. Liv. xxxix. 37.

The

The duration of the War with the allies was very long, to take it in all its extent. The greateſt heat of it ſcarce ſubſiſted above two years: but it continued much longer, though with leſs ardour; it had a ſhare alſo in the civil wars between Marius and Sylla; and it was not entirely terminated till by the latter, when, after having made peace with Mithridates, he returned to Italy, and by his victories put an end to all the diviſions which had torn it during ſo many years.

A war of ſuch importance, and abounding with ſo many events, ſhould ſeem to ſupply our hiſtory with rich materials. But ſuch of the ancients as had related it with care, are loſt; and nothing remains but ſuch confuſed and imperfect abridgments, that I can promiſe the reader only a general idea of things, with very little circumſtantial account of particular facts. I proceed to our ſubject.

The allies of Rome had in all times ardently deſired to be admitted citizens of it. The war with the Latines, above two hundred and forty years before this I am going to relate, had no other cauſe. The * Campanians, after the unfortunate battle of Cannæ, offered the Romans their aid upon the ſame condition; and only revolted becauſe it was refuſed them. And indeed the Romans, during a great length of time, had not followed the policy ſo much praiſed in their founder, who often transformed ſuch into citizens of Rome, as the ſame day had been her enemies. As ſoon as they began to form a conſiderable ſtate, they were very reſerved in this favour; and their reſerve in that point increaſed in proportion to their power; and in conſequence as the freedom of a Roman citizen became a more important and exalted title. If they conferred this grace, it was almoſt only upon ſmall neighbouring cities, and never upon whole ſtates. Beſides which, they frequently divided the condition

* Liv. xxxvi. 6. doubts this fact. But Cicero poſitively affirms it as certain, in his ſecond oration againſt Rullus, n. 95.

of

of Roman citizens, from the exerciſe and functions of it, and beſtowed the name without granting the right of voting. Accordingly only a few private perſons of the Italians attained that ſo much deſired advantage, and that by ſtratagem and addreſs. But the Roman magiſtrates were upon their guard againſt ſuch frauds, and ſent home theſe ſtrangers to their own cities, who were for ſwarming at Rome.

The Gracchi revived in the hearts of the allies the hope of obtaining the freedom of Rome by a general incorporation. Tiberius had conceived thoughts of it; but was prevented by death from carrying the thing very far. His idea was followed, and advanced farther by Fulvius Flaccus: and the revolt of Fregellæ, in which Caius was ſo much accuſed of ſharing, was a ſignal on which all Italy would have been in motion, if a ſudden and ſevere revenge had not put a ſtop to that conſpiracy in its birth. At length the mine was ſprung in the Tribuneſhip of Druſus, as I am going to relate.

L. Marcius Philippus. A. R. 662. Ant. C. 91.
Sex. Julius Cæsar.

The condemnation of Rutilius had made the Senators more ſenſible than ever of the neceſſity of delivering themſelves from the tyranny of the Knights in trying cauſes, and ſupplied them at the ſame time with the juſteſt motive for diveſting that order of a power, which they abuſed in ſo criminal a manner. To ſucceed in that deſign, they called in the aid of M. Livius Druſus, then Tribune, a young man, whom his birth, courage, and talents, made capable of the greateſt undertakings. Flor. iii. 17. Liv. Epit. lxxi.

He was the ſon of that Druſus who ruined the affairs of C. Gracchus, by behaving in the name of the Senate with more popularity than him. The ſon appears to have followed the ſame ſyſtem of conduct. His plan was to ſerve the Senate, and conciliate the favour of the People. This he endeavoured by propoſing

A. R. 661. Ant. C. 94.

poſing Agrarian laws, the eſtabliſhment of colonies, and diſtributions of corn; the whole with ſuch profuſion, that he ſaid himſelf, "* he had not left any one room to make new largeſſes, unleſs it was of air or dirt." And he declared that he paſſed all theſe laws ſo much in favour of the people in concert with, and by the authority of, the Senate.

Though the allies did not give their voices in the affairs of the government of Rome, they had however great weight in them by their influence and ties with all the citizens great and ſmall. Druſus was deſirous alſo to attach them to the Senate, and promiſed that they ſhould at length obtain the freedom of the city, if they would aſſiſt him in paſſing his laws, and made the Senate the guarantees of his engagement.

The Knights ſtrongly oppoſed the laws of Druſus; and that is not ſtrange, as they were intended againſt themſelves. But even in the Senate he had two formidable adverſaries, the Conſul Philippus, and Servilius Cæpio, a young man of his own age, and formerly his friend.

Philippus, beſides the advantages of birth, riches, great alliances, and the dignity and authority of his office, was alſo capable by the talent of eloquence to give weight to the party he eſpouſed. After Craſſus and Antonius, who diſputed the ſuperiority as orators, as has been obſerved more than once, Philippus took place, but at a great diſtance. "Though there was no one, ſays Cicero, who could take place between thoſe two great orators and him, I can † neither call him ſecond, nor third; in like manner as in a chariot-race, I ſhould ſcarce reckon that ſecond or third, which ſhould hardly have quitted the barrier, when

* The expreſſion is not unhappy in Latin, on account of the ſimilar ſounds of the words air and dirt. "Nihil ſe ad largitionem ulli reliquiſſe, niſi quis aut cœnum dividere vellet, aut cœlum." FLOR.

† Nec enim in quadrigis eum ſecundum numeraverim aut tertium, qui vix à carceribus exierit, quum palmam jam primus acceperit, nec in oratoribus, qui tantum abſit à primo, vix ut in eodem curriculo eſſe videatur. CIC. Bruto, n. 173.

the

the firſt had already received the prize." But to conſider Philippus in himſelf, and independently from all compariſon, he could not be denied the title and merit of an orator. He had a bold and free tour of thought, with abundance of ſalt and pleaſantry. He wanted neither invention to produce thoughts, nor facility of elocution to expreſs them. With all this, he was well verſed in the ſciences of the Greeks; and when he was warm in altercations, he had an edge, a ſting, that always is highly pleaſing to an audience. A. R. 661. Ant. C. 91.

I cannot tell, for want of authorities, what motive induced Philippus, then actually Conſul, to oppoſe Druſus and the Senate. When he was Tribune he had formerly propoſed an Agrarian law, and Cicero quotes a ſeditious paſſage in a diſcourſe he then made. He ſaid, "that there were not two thouſand men in the city who had wherewithal to live." The conſequences of ſuch an expreſſion from a Tribune before a multitude who pretended to the rights of ſovereignty, are ſufficiently evident. For the reſt, however, the conduct of Philippus in his Tribuneſhip had been moderate enough, and he had ſuffered his law to be rejected with no great difficulty. Was he in conſequence perſuaded that Agrarian laws were always pernicious, and did he for that reaſon oppoſe thoſe propoſed by Druſus? Or had he any perſonal grudge to that young Tribune, or diſcontent in reſpect to the Senate? This we do not know. But it is certain, that he acted with great warmth, and even paſſion. Cic. de Offic. ii. 73.

As to Cæpio, there was a young man's quarrel between him and Druſus. They had once been ſuch great friends as to exchange wives with each other; a practice contrary to decency and good manners, but authorized by the cuſtom of the Romans. Their difference was upon a puerile occaſion, having piqued themſelves upon outbidding each other at a ſale for a ring, which both were for having. From ſo ſlight a ſubject aroſe an irreconcileable enmity, which they carried to the moſt frantick exceſſes, and thereby occaſioned Diod. ap. Valeſ. Strab. l. xi. p. 515. Plin. xxxiii. 1.

A. R. 661. Ant. C. 91. caſioned the greateſt calamities to the Commonwealth. Both had ambition, boldneſs, capacity for buſineſs, and a turbulent, reſtleſs diſpoſition: and their emulation being changed into envy and hatred, Druſus's attachment to the intereſts of the Senate was a ſufficient reaſon to determine Cæpio to declare for the Knights.

Auctor. de vir. Illuſtr. Val. Max. ix. 5. The conteſts between Druſus on one ſide, and Cæpio and Philippus on the other, were very violent. They were carried ſo far, that Druſus once threatened Cæpio to have him thrown from the Tarpeian rock. And as to Philippus, as that Conſul oppoſed the laws of Druſus with his utmoſt power, and would not ſuffer them to be brought into deliberation, Druſus cauſed him to be carried to priſon, and treated ſo outrageouſly, that the blood guſhed out at his noſe in abundance. And this the Tribune treated only as a jeſt, ſaying, that it was not blood, but the gravy of thruſhes: becauſe Philippus was thought to love good cheer and nice morſels.

After ſo many diſputes the laws however could not be prevented from paſſing. On the day fixed for their being brought on, ſo prodigious a concourſe of people came from all parts to Rome, that one would have thought the city had been beſieged by an army of the enemy. That multitude forced through all oppoſition: and the colonies, diſtributions of lands, and largeſſes of corn, were all decreed conformably to the views of Druſus. It was probably at this time that the Tribune, in order to enable the Commonwealth to ſupport ſo many expences, altered the coin, and mixed an eighth of alloy with the ſilver.

Theſe laws thus received were only preliminary to the deſigns of Druſus. The queſtion was to reſtore the adminiſtration of juſtice to the Senate. This was the great point he had in view; and he had been lately encouraged in it by Scaurus, who having been accuſed by Cæpio, had defended himſelf with his uſual conſtancy, and had openly exhorted Druſus to introduce a neceſſary change in trials, of which the

Commonwealth ſtood in extreme need. The Tribune however did not undertake wholly to deprive the Knights of the adminiſtration of juſtice; but to divide it between the two orders. Appian pretends, that his plan was to aſſociate and incorporate three hundred Knights with the Senate: ſo that the whole body, which was three hundred, might be double that number. Out of theſe ſix hundred Senators, as well old as new, the Tribunals of the judges were to be formed. But I am obliged to confeſs, that I lay no great ſtreſs upon Appian, a writer of little judgment, and beſides very remote from the time in queſtion. The epitome of Livy ſpeaks only of a partition of the judicature between the Senators and the Knights: and * Cicero's authority, that can admit of no exception in this point, determines my opinion in reſpect to it. A. R. 661. Ant. C. 91.

Druſus accordingly paſſed a new law, to ordain that the body of the judges ſhould for the future be half Senators and half Knights. To this law he added an article, by which it was made lawful to proſecute any judge that ſhould have committed any abuſe or prevarication in the exerciſe of his office. For hitherto, through a ſingularity entirely amazing, and for which I do not undertake to account, the judges choſen out of the † order of the Knights were not ſubject to any moleſtation for prevarication in trials.

This law exaſperated the Knights exceedingly; not only becauſe it deprived them of half the authority they poſſeſſed, but by the puniſhment to which it ſubjected abuſes of it, which were but too common with them. They were not afraid to call thoſe penalties an intolerable yoke, to which they were not accuſtomed, which they had never borne, and which

* The complaints of the Knights repeated by Cicero pro Cluent. 153, 154, evidently imply that they were not made Senators. See alſo pro Rabir. Poſt. n. 16, 17.

† The circumſtance mentioned here is certain from Cic. pro Cluent. 145—154.

A. R. 661. Ant. C. 91. they would never ſuffer to be impoſed on them. But all the world were united againſt them in favour of the law. The Senators, though they were deſirous to recover their ancient right in the whole, thought it ſome advantage to be reinſtated at leaſt in part of it. The people were gained by the largeſſes that had lately been granted them. The allies, though not ſatisfied with theſe colonies, and diſtributions of lands, by which they were to loſe part of their own poſſeſſions, were however drawn in by the hope of the freedom of Rome. Add to this, the Tribune's haughtineſs, who had recourſe to the moſt flagrant violence when it ſerved his purpoſes. The law in conſequence was paſſed, and had the authority of the ſuffrages of the Tribes.

Druſus had hitherto ſucceeded in all he had undertaken. But his ſucceſs itſelf was followed by the moſt affecting perplexity. For the allies, who had ſerved him ſo well, did not fail to claim his promiſe: and he found himſelf under an impoſſibility to perform it. It is not to be doubted, but a propoſal to adopt ſo prodigious a multitude of citizens, would diſpleaſe a very great number of the Romans. Beſides, the credit of Druſus declined every day. The Senate, which by his means had obtained only a part of what they deſired, ſupported him but cooly. We have related, in the hiſtory of the Gracchi, the immenſe difficulties and quarrels occaſioned by new diſtributions of lands. Druſus in conſequence had diſguſted almoſt the whole city by his laws: and thoſe he had obliged, were but indifferently ſatisfied with him. All he could do, was to temporize, and endeavour to amuſe the allies with good words.

Plut. in Cat. It was during theſe negotiations that Cato, then an infant, gave an inſtance, on the occaſion of the affair of which I am ſpeaking, of that inflexibility of mind that diſtinguiſhed his character during his whole life. As he had loſt his parents very early, he was brought up in the houſe of Druſus, his uncle by the mother's ſide. There it was, that Pompedius Silo, one

one of the principal perſons of the allies, happened, by way of joke, to aſk young Cato to recommend his ſuit to his uncle. The child keeping ſilence, expreſſed by his looks and an air of diſlike in his countenance, that he would not do what he was aſked. Pompedius inſiſted without being able to prevail in the leaſt. At length he took up the child by the middle, carried him to the window, and holding him out of it, threatened to let him drop, if he perſiſted in his refuſal. But fear had no more effect than entreaty. Pompedius, on ſetting him down in the chamber, cried out, "What an happineſs it is for Italy, that "thou art but a child! For were you at age, we "ſhould not have a ſingle vote." A. R. 661. Ant. C. 91.

The allies did not confine themſelves long to the method of negotiation. They ſoon conceived thoughts of doing themſelves juſtice by arms, and even the horrid deſign of maſſacring the Conſuls upon the day of the *Feriæ Latinæ*, a ſolemn feſtival, celebrated with a great concourſe of the Romans and people of Latium on mount Albinus. But Druſus had the generoſity to apprize Philippus of it, who took precautions againſt a ſurprize. Another danger, not leſs great, was prevented by a lucky circumſtance. Pompedius had drawn together ten thouſand men, and led them to Rome with ſwords concealed under their cloaths, in the reſolution to beſiege the Senate, and to force them to grant the allies the freedom of the city. Domitius having met this troop upon their way, repreſented to Pompedius that he was taking a wrong method; and that the Senate, who were well diſpoſed in favour of the ſtates of Italy, could grant every thing to good behaviour, but nothing to force. Both the leader and his followers ſuffered themſelves to be perſuaded, and ſeparated. But all this only ſuſpended the evil, without remedying it. On the one ſide the allies abated nothing of their pretenſions: on the other, the Romans took no meaſures to give them ſatisfaction. All Italy was diſcontented; Flor. iii. 18. Auctor de vir. illuſt. Diod. ap. Valeſ.

A. R. 661. Ant. C. 91. and nothing paſſed but ſecret aſſemblies, conſpiracies, plots; and every thing tended to a general inſurrection.

At Rome the diſpoſition of people was ſcarce more pacifick. The diviſion ſubſiſted ſtill between the Conſul Philippus and the Senate: and that Magiſtrate, in an aſſembly of the People, went ſo far as to ſay, "that another council was neceſſary to him for the adminiſtration of the government. That with the Senate, ſuch as it was, he could not act for the good of the State." On the occaſion of this invective, and words ſo injurious to the Senate, an aſſembly of that body was held on the 13th of September, called by Druſus. The Tribune complained warmly in it of Philippus, and propoſed deliberating on the inſult done to the Senate by the Conſul, who was its chief and preſident.

Cic. de Or. iii. 2.

The orator Craſſus in giving his opinion ſignalized his zeal and courage; and never did eloquence ſhine out more glorioufly than on this occaſion, which was the laſt of his life. "He * deplored the ſad fate of the Senate, which ought to find a guardian and parent, careful to protect it, in the Conſul, and had only in him a virulent enemy, to diveſt it of its honour and dignity. He accuſed Philippus of being the author of the preſent calamities; and declared, he did not wonder that he rejected the counſels of the Senate, as he was ſolely intent upon ruining and deſtroying the Commonwealth."

So vehement a diſcourſe gave birth to the moſt warm conteſt. Philippus, who did not want eloquence, fire, and ſpirit, eſpecially when himſelf was attacked, inſiſted ſtrongly upon the rights of his office. He pretended that Craſſus had been wanting in reſpect for him: and immediately laid a fine upon

* Deploravit caſum atque orbitatem Senatûs: cujus Ordinis à Conſule, qui quaſi parens bonus aut tutor fidelis eſſe deberet, tanquam ab aliquo nefario prædone dirigeretur, patrimonium dignitatis. Neque verò eſſe mirandum, ſi, quum ſuis conſiliis rempublicam profligaſſet, conſilium Senatûs à republica repudiaret.

him,

him, requiring at the ſame time, according to an eſtabliſhed cuſtom at Rome, ſecurity for the payment of the money. A. R. 662. Ant. C. 91.

This proceeding, far from intimidating Craſſus, ſerved only to animate him the more. He affirmed, that he ought not to conſider Philippus as Conſul, as he did not conſider himſelf as a Senator. "How *," added he, "whilſt you behave in reſpect to the reputation and honour of the whole order, as you would do of a mean depoſite abandoned to your diſcretion, and tear it to pieces in the ſight of the Roman People, do you imagine you can terrify me by the frivolous ſecurity you require of me? No, if you would ſilence Craſſus, it is not to be done by laying a fine upon him; you muſt pluck out this tongue: and even were you to do that, the liberty that would ſtill ſubſiſt in my countenance, would ſuffice to reproach you with the tyranny you exerciſe over us." He concluded, that it was neceſſary for the Senate to clear itſelf of the reproach made it by the Conſul; and that it ſhould ſhew the Roman People, that the Senate had never failed either in wiſdom or zeal for the ſervice of the Commonwealth. And this opinion was followed by all the Senators.

This was the † laſt, and at the ſame time the moſt ſhining triumph, of that divine man's eloquence, as Cicero calls him. He had heated himſelf extremely in ſpeaking, and already felt a pain in his ſide. This did not prevent him from ſtaying till the decree was drawn up conformably to his opinion. He catched cold, and was ſeized with a ſhivering; and returning home with a fever upon him, died ſeven days after of a pleuriſy.

* An tu, quum omnem auctoritatem univerſi Ordinis pro pignore putares, eamque in conſpectu populi Romani concideres, me his pignoribus exiſtimas poſſe terreri? Non tibi illa ſunt cædenda, ſi Craſſum vis coercere: hæc tibi eſt excidenda lingua: quâ vel evulsâ ſpiritu ipſo libidinem tuam libertas mea refutabit.

† Illa tanquam cycnea fuit divini hominis vox & oratio.

A. R. 661. Ant. C. 91. Cicero, from whom we have this whole account makes the moſt moving reflections upon this death of Craſſus, which deprived him of the fruits he had in view in all the labours of his life. "Deluſive * hopes of man! cried he: Oh frailty, oh inconſtancy of fortune! Oh vanity of all our views and efforts, which are either cut ſhort in the midſt of their courſe, or are unhappily ſhipwrecked before we can deſcry the port! For hitherto the life of Craſſus had been entirely employed either in the cares that attend the attainment of offices, or the fatigues of the bar: and the glory he had acquired was rather that of a man of wit, and one uſeful by his talents to many particulars, than that of a Stateſman and great Senator. And the firſt year that terminated to him the career of honours by the Cenſorſhip he had lately exerciſed; that year which opened to him, by the conſent of all, the entrance to the higheſt rank and conſideration in the Commonwealth, is that which fruſtrates all his hopes, and all the views of his life by a ſudden death."

Such examples might indeed cure men of ambition, if ambition were an evil that could be cured. But Cicero, who makes this fine reflexion, applied it little to himſelf. And generally ſpeaking, what happens to others, is but of weak inſtruction to ourſelves. In morals, ſtill more than in any other reſpect, "the follies of thoſe who go before us are loſt to us," as one of the moſt illuſtrious and moſt ingenious writers of our times has agreeably ſaid. Happy for us if we improve from our own experience!

The death of Druſus ſoon followed that of Craſſus, and was undoubtedly more deplorable. All Italy

* O fallacem hominum ſpem, fragilemque fortunam, & inanes noſtras contentiones! quæ in medio ſpatio ſæpe franguntur & corruunt; & ante in ipſo curſu obruuntur, quam portum conſpicere potuerunt. Nam quamdiu Craſſi fuit ambitionis labore vita diſtricta, tamdiu privatis magis officiis & ingenii laude floruit, quam fructu amplitudinis aut reipublicæ dignitate. Qui autem ei annus primus ab honorum perfunctione aditum, omnium conceſſu, ad ſummam auctoritatem dabat, is ejus omnem ſpem atque omnia vitæ conſilia morte pervertit.

was in a flame: and the alarm the Romans conceived from it, turned into hatred againſt Druſus, to whom the cauſe of theſe dangerous commotions were aſcribed. The indignation againſt the Tribune was univerſal: and even the Senate, for whom he had contended ſo much, no longer looked upon him in any other light, than as the author of the revolt of the ſtates of Italy. A. R. 661. Ant. C. 91.

Druſus was in deſpair: and as he happened about this time ſuddenly to ſwoon away, and to loſe his ſenſes in the midſt of an aſſembly of the people, it was ſaid, that he had occaſioned that accident himſelf, by drinking goat's blood, with deſign to make it believed he was poiſoned; and thereby to render his adverſaries odious, and Cæpio in particular. It is more probable that it was a fit of the falling ſickneſs, a diſeaſe to which he had been ſubject in his earlieſt youth, and of which he had been cured by the uſe of hellebore. However it were, all Italy were much affected with this event, and cities made vows for the recovery of his health. Plin. xxviii. 9. Auct. de vir. Illuſt.

His enemies were only the more inveterate to deſtroy him. They conſpired againſt his life; and, notwithſtanding his precaution of keeping company but ſeldom, rendering acceſs to his perſon more difficult, and appearing leſs in publick, he could not eſcape them. One evening, in returning home, ſurrounded by a great number of followers, he received a ſtab with a knife, of which he died ſoon after. The aſſaſin hid himſelf in the croud, and was never diſcovered. Philippus, Cæpio, and the Tribune Varius, were ſuſpected; which laſt will ſoon appear upon the ſtage. Cicero poſitively accuſes him. No enquiry was made concerning this murder: which proves that the authors of it were men of power, and capable by their credit of putting a ſtop to the courſe of juſtice. Appian. Auct. de vir. Illuſt. Cic. de Nat. Deor. iii. 81.

Thus periſhed M. Druſus, in the flower of his age, the victim of a reſtleſs ambition, which, before it drew a violent death upon him, had tormented him during his Senec. de Brevit. vit. vi.

A. R. 661. Ant. C. 91. his whole life. This we may well believe. He had complained himſelf, at a time of grief, occaſioned by the terrible difficulties in which he was involved, "that * he was the only one, who when but a boy, had never had an holiday." And indeed, whilſt he wore the robe of a boy, he had recommended accuſed perſons to their judges, and had carried ſeveral affairs by his ſollicitations. "What † could be expected, ſays Seneca, from ſo early an ambition, but what actually happened; great calamities both to the Commonwealth and to himſelf in particular."

He had great talents, but ſtill greater preſumption, which he retained to the laſt moment of his life. When he was upon the point of expiring, he ſaid to thoſe about him, "Friends, when will the Commonwealth find a citizen to ſupply my place?"

Vell. ii. 14.

With theſe ſentiments there is no room to wonder at the haughtineſs of his behaviour in reſpect to his adverſaries. The Senate itſelf had experienced it: and one day, when that auguſt body ſent for him: "Why," ſaid he, "does not the Senate rather come "and aſſemble in the hall Hoſtilia, near the Tribunal "for Harangues?" And the Senate obeyed the imperious Tribune's order, though he treated their's as nothing.

Val. Max. ix. 5.

There are, however, in the life of Druſus ſome actions and circumſtances truly laudable. The advice which he cauſed to be given to Philippus of the conſpiracy of the Latines againſt him, is a proof of his generoſity; and we cannot deny our admiration to the noble confidence that appears in an expreſſion of his, which Velleius has preſerved. He cauſed an houſe to be built on Mount Palatinus, which afterwards belonged to Cicero: and as his architect promiſed him to lay it out in ſuch a manner that none of

* Uni ſibi, ne puero quidem ferias contigiſſe.

† Quo non irrumperet tam immatura ambitio? Scires in malum ingens & privatum & publicum evaſuram illam tam præcoquem audaciam.

the

the neighbours ſhould overlook him: "* So far from "that," ſays Druſus, "you will pleaſe me beſt, if "you employ your whole art in ſuch a mannner, "that every body may ſee what is done in my "houſe." A. R. 661. Ant. C. 91.

From all theſe facts it reſults, that Druſus left behind him at leaſt an equivocal reputation. And I know no writer who praiſes him without exception, except Velleius, a mean flatterer, who thereby made his abject court to Livia and Tiberius, deſcended from that Tribune. Cic. pro Domo. n. 42.

The death of Druſus was an entire triumph for his enemies: and the Conſul Philippus cauſed all his laws to be cancelled by a ſingle decree of the Senate, as paſſed contrary to the auſpices, and conſequently void of courſe. Thus all things reſumed their former ſtate, and the Knights remained in ſole poſſeſſion of the judicature.

They reſolved to take the advantage of the occaſion for cruſhing their adverſaries. They had a Tribune ready to ſerve them in all their views. This was that Q. Varius, who had lately ridded them of Druſus, a man of vaſt deſigns, and diſagreeable in his whole perſon; however, he had credit with the People from the talent of ſpeaking, which he poſſeſſed in no vulgar degree. It was ſaid, that he would have found it difficult to prove himſelf a Roman citizen: however, he preſumed to ſet up for importance in Rome; and that Mongrel, for ſo he was ſirnamed, rendered himſelf formidable to the moſt illuſtrious perſons of the city and Senate. Hybrida.

He propoſed a law † for enquiring into thoſe whoſe evil practices had forced the allies to take arms. This accuſation regarded the principal Senators, who had been in ſtrict union with Druſus, and by him with the allies. How far thoſe ties had extended, it is impoſ-

* Tu vero, ſi quid in te artis eſt, ita compone domum meam, ut quidquid agam ab omnibus perſpici poſſit.

† Quorum dolo malo Socii ad arma ire coacti eſſent. VAL. MAX. viii. 6.

ſible

A. R. 661. Ant. C. 91. ſible for us to conjecture through the thick veil of obſcurity that covers the times of which we are ſpeaking. But there is no room to doubt, that thoſe illuſtrious Romans had at leaſt no ſhare in a revolt, that brought Rome into one of the greateſt dangers ſhe had ever experienced.

App. Civ. l. 1. The Senate ſeeing themſelves attacked in this manner, ſpared no efforts to prevent the law from paſſing. Even ſome of the Tribunes oppoſed it in form. But the Knights made themſelves maſters of the Forum and Tribunal ſword in hand, and cauſed the law to paſs by the ſuffrages of the People.

Thoſe who had paſſed the law Varia by ſuch violent methods, were at the ſame time the judges who were to put it in execution. Conſequently it is eaſy to foreſee what juſtice the accuſed had to expect. The number of them was very great: and whilſt the war, which broke out ſoon after, cauſed all the Tribunals to be ſhut up, that which took cognizance of this kind of crime, was the only one privileged to act.

Cotta is the beſt known of all thoſe who ſunk under this ſtorm. The nephew of Rutilius could not eſcape the revenge of the Knights. We have already obſerved that he was an orator, but more eſteemed for the clearneſs and ſolidity of his diſcourſe, than its force and vehemence. He however roſe upon himſelf on pleading his own cauſe in ſuch unhappy circumſtances. He did not endeavour to move his judges, from whom he had nothing to hope: but imitating the conſtancy of his uncle, he reproached them with injuſtice; he ſpoke with great dignity of the integrity of his conduct, of his views for the publick good, and of his zeal for his country; and after having rather inſulted judges ſold to iniquity, than made his apology, he went into voluntary baniſhment. This was the ſecond diſgrace the cabal had drawn upon him, which not long before had made him loſe the Tribuneſhip. Rutilia, his mother, accompanied him in his baniſhment, and did not return to Rome till he was recalled ſome years after by Sylla; and he roſe

roſe to the principal dignities, and the reputation of one of the greateſt orators of Rome. A. R. 661. Ant. C. 91.

Scaurus was alſo cited before the judges under the ſame pretext, but came off more happily. Cæpio, who had accuſed him long before of extortion, was again his accuſer on this occaſion; and engaged the Tribune, Q. Varius, to ſummons that venerable old man before the aſſembly of the People, and to inveigh againſt him. Scaurus, though ſinking under the weight of years, and but lately recovered of a diſeaſe, notwithſtanding the inſtances of all his friends, who were for diſſuading him from expoſing himſelf, in the condition he was in, to the fury of the multitude, appeared on the day fixed. He heard the Tribune's whole declamation patiently: and when he was called upon to anſwer, he only ſaid theſe few words: "Q. Varius, a Spaniard by birth, accuſes "M. Scaurus, Prince of the Senate, of having made "the allies take arms. M. Scaurus, Prince of the "Senate, denies it. There are no witneſſes. Which "of the two, Romans, will you believe?" This defence, ſo ſhort, but ſo full of dignity, made an impreſſion upon the people, diſconcerted the Tribune, and fruſtrated all his and Cæpio's efforts. The affair went no farther. Aſcon. in Orat. pro M. Scaure.

Marcus Antonius did not extricate himſelf out of danger at ſo cheap a rate. On being accuſed, he exerted the whole force of his eloquence, and employed for himſelf all thoſe arts he had uſed ſo ſucceſsfully for others. He ſhed tears, he implored, and ſpoke with ſo much paſſion, that Cicero, who was an eye-witneſs, affirms, that he ſaw him touch the ground with his knee, in the warmth and earneſtneſs of his entreaties. He was acquitted, and the next year had even a command in the war againſt the allies.

To make an end of what relates to the law Varia, I ſhall add, that by the moſt ſurprizing turn of affairs, Varius, when the term of his office expired, was accuſed and condemned as being himſelf within the preſcription

A. R. 661. Ant. C. 91. ſcription of his own law. He was not puniſhed with baniſhment only, but periſhed miſerably in the moſt cruel torments. Freinſhemius conjectures, with great probability, that being reduced to wander about Italy, he fell into the hands of ſome of the allies, who made him undergo the juſt puniſhment of all his crimes. For beſides the murder of Druſus, Cicero accuſes him of having poiſoned Q. * Metellus. But what I relate here, did not happen till after ſome time.

Cic. Brut. 305. & de Nat. Deor. iii. 83.

About the end of the Conſulſhip of Philippus, the ſtates of Italy took their laſt meaſures to concert their revolt. The death of Druſus, and the law Varia, had entirely convinced them that they had nothing to expect from Rome; they had loſt their protector, and even the greateſt of all crimes then was that of favouring them. They therefore conceived, they had abſolutely no other reſource but of arms, to obtain that by force, which would never be granted them by conſent.

Diod. Eclog. l. xxxvii.

As the Romans were ſufficiently engroſſed by their inteſtine diſſenſions, the allies had time to put their affairs in order, and to make preparations. Accordingly tumultuous proceedings ſubſiſted no longer: every thing was conducted with order, ſyſtem, and by deliberations maturely weighed. They formed the plan of an Italick Commonwealth upon that of the Romans. They eſtabliſhed, for the capital and ſeat of their government, the city of † Corfinium, in the country of the Peligni, and they called it Italicum, as the common country, and metropolis of all the ſtates of Italy, united by league. They laid out a Forum in it, and a hall for the Senate, which was to conſiſt of five hundred deputies. They alſo took care to fortify this city, and to lay up in it all kinds of ſtores, money, proviſions, and ammunition.

* I cannot ſay who this Metellus was; the family of the Metelli being then very numerous.

† This city, which is ruined, was not far from Sulmo, now Solmona, in Abruzza Ulterior.

And

And laſtly, hoſtages of the ſeveral ſtates that entered into the aſſociation, were brought thither. Their Senate, like that of Rome, was to have the general adminiſtration of affairs; and it was alſo out of the ſame body, that the Magiſtrates and Generals of armies were to be elected. They created two Conſuls, and twelve Prætors. The Conſuls were Q. Pompedius Silo, of the nation of the Marſi, and C. Aponius, or according to others, Papius Mutilus, a Samnite. Theſe two Generals, having each ſix Prætors under their command, divided Italy into two parts or provinces. The firſt had the country neareſt Rome, on the weſt and north; and the other commanded in the reſt of Italy, on the eaſt and ſouth. A.R. 661. Ant. C. 91.

The principal ſtates that revolted, were the Marſi and Samnites. The firſt even gave their name to this war, which is frequently called the War of the Marſi. The Samnites, who had of old defended their liberty againſt the Romans during more than ſeventy years, were alſo the moſt tenacious in the revolt, and the laſt to lay down their arms, after a great part of them had been deſtroyed, eſpecially by Sylla, who was their implacable enemy. With theſe two ſtates, all the reſt, that inhabited the country between the two ſeas, from the Liris, now Garigliano, to the Ionian ſea, that is, almoſt all we now call the kingdom of Naples, took up arms for the common cauſe. The Romans had ſcarce any allies remaining, except the Umbrians, the Tuſcans, and the Latines. Gallia Ciſalpina, or Lombardy, had no ſhare in this war. The Gauls who inhabited it were not allies, but ſubjects: and their country was treated as a province, that is, a conquered country. It was not ſo much as included in what the Romans then called Italy.

L. Julius

A. R. 662. Ant. C. 90. L. Julius Cæsar.
P. Rutilius Lupus.

App. Civ. l. 1. Flor. iii. 16. The firſt blood was ſhed at Aſculum, now Aſcoli, on the frontier of Ancona. The Romans, on advices from all parts, that the people of Italy were preparing to take up arms, ſent proper perſons into the different diſtricts to inſpect what paſſed. One of them having ſeen a young man carried as an hoſtage from Aſculum to Corfinium, apprized Q. Servilius of it, who commanded in the country. Servilius ran thither, and with the higheſt degree of imprudence aſſumed an haughty tone to people incenſed, who ſought only an occaſion for a rupture. He treated the Aſculans as if they had been ſlaves, and menaced them in the ſharpeſt terms. But menaces are very frivolous, when not ſuſtained with power. The Aſculans enraged fell upon him, killed him with his Lieutenant Fonteius, and afterwards put all the Romans who were in the place to the ſword.

This maſſacre was the ſignal for the general revolt of Italy. All the ſtates mentioned before took arms. But the firſt who ſignalized themſelves were the Marſi, at the head of whom was Pompedius Silo, the principal incendiary of this war. The reſt did not delay to follow their example. All their meaſures, concerted long before, were ſoon put in execution. The Armies and Generals took the field; and the danger ſeemed ſo great to the Romans, that it was declared there was a tumult [*tumultus*,] ſo they called an important and dangerous war. In conſequence there was a ſtop put to all buſineſs in the city; all the Tribunals, except that eſtabliſhed by the law Varia, were ſhut up: the people quitted the toga, which was the habit of peace, and wore the military veſt; and Rome ſeemed a town of war. Both the Conſuls ſet out to make head againſt the enemy, but not without the precaution of leaving troops in the city in caſe of inſult. They choſe Lieutenant-Generals out of the moſt

moſt illuſtrious warriors, Marius, Sylla, Cn. Pompeius Strabo, father of Pompey the Great, and T. Didius, who had triumphed twice, over the Scordiſci after his Prætorſhip, and the Spaniards after his Conſulſhip. Hiſtory alſo mentions Q. Metellus Pius, Cæpio, and many others. Rutilius had the Marſi for his province, and Julius Samnium. That firſt campaign an hundred thouſand men were in arms, without including the garriſons of places. A. R. 662. Ant. C. 90.

However, before they entered upon action, the allies ſent an embaſſy to the Romans, to make a laſt effort, and repreſent the juſtice of their pretenſions, as they only demanded to be admitted citizens of a ſtate that was partly indebted for its greatneſs to them. They probably thought, that their requeſt, ſupported by their arms, would have more effect than for the paſt. But the Senate, always true to the Roman maxim of never ſuffering the law to be given them, replied, "That if the allies acknowledged their fault and ſubmitted, they might be heard. That otherwiſe, they might ſpare themſelves the pains of ſending embaſſies to Rome." Thus all hopes of peace being at an end, hoſtilities began.

For the reſt, we muſt not believe that amongſt the people who took arms the Romans had no friends. The thing is impoſſible in itſelf: and Velleius pleaſes himſelf with citing the example of his great-grandfather's father Minatius Magius, who deſcended from Decius Magius, that faithful and conſtant ally of Rome, at the time of the revolt of Capua. Minatius, who inherited his grandfather's ſentiments, raiſed a legion in the country of the * Hirpini, with which he joined the Roman troops, and ſignalized himſelf in the courſe of the war by many important exploits. And he was rewarded for it accordingly: he was made a Roman citizen nominally, and his two ſons were created Prætors at a time when, as Velleius Vel. ii. 16.

* This country was part of that now called the Ulterior Principality, in the kingdom of Naples.

A. R. 662. Ant. C. 90. takes care to obſerve, the Commonwealth had only ſix.

Diod. & Dio, apud Valeſ. No wars are made with greater cruelty than civil wars, and this was really one, as I obſerved before. The more mankind are bound by ſtrict and ſacred ties, the more violent their hatred becomes when thoſe ties are broke through. The allies proceeded to all kinds of inhumanity, both againſt the Romans, and againſt ſuch of the Italians as continued faithful to Rome; and that they might have a proper inſtrument of their cruelties, the people of Aſculum ſet a Cilician Captain of pirates at liberty, whom the Romans had taken, and left priſoner in their keeping. Nothing was ſpared, not even women and children. They invented an unheard-of puniſhment for the women, which was to tear off their hair and the ſkin of their heads. And the people of * Pinna, not being willing to ſhare in the revolt, ſaw their children, which by misfortune had fallen into the hands of the rebels, butchered before their eyes. It is well that hiſtory preſerves the remembrance of theſe horrible deeds, to make mankind aſhamed of their barbarity.

The reader may juſtly expect in this place an account of military operations of the greateſt importance, innumerable incidents, battles, and ſieges. But I have already taken notice, that the times of which we are ſpeaking, are perhaps the moſt barren of inſtructive memoirs of the whole hiſtory of the Roman Commonwealth. We have only abridgments, and thoſe executed with little taſte: and Appian, who ſupplies more circumſtances than the reſt, affords almoſt only a dry and trifling liſt of actions either little in themſelves, or meanly related, without connection, without explaining cauſes and circumſtances, and without any of thoſe ſtrokes that paint the different characters of men, and render hiſtory uſeful and agreeable at the ſame time. I ſhall therefore be oblige

* The citizens of Penna in Abruzzo Ulterior.

to content myſelf with giving a general idea of the ſeries of facts, and to make choice of ſuch as were moſt important. A. R. 662. Ant. C. 90.

At firſt the allies had the advantage almoſt every where: and Freinſhemius happily enough finds the cauſe of this ſuperiority in the union, concurrence, and zeal, which uſually attend new enterprizes; whereas the diſſenſions with which Rome abounded, extended even to the armies. Suppl. Liv. lxxii. 44.

The Conſul Rutilius encreaſed the evil by his unjuſt and ill-founded ſuſpicions. As he obſerved that the enemy knew every circumſtance of what paſſed in his camp, he was aſſured that the principal Officers and Nobility, who had always had intelligence with the allies, gave them theſe informations: and without farther enquiry, he wrote on that head to the Senate. Theſe letters tended to ſetting all things in a flame at Rome. Happily ſome ſpies of the Marſi were diſcovered, who mixed with the Roman foragers, and even entered the camp with them, as is very eaſily done in a war, wherein the language, habits, and arms, are the ſame on both ſides; and afterwards apprized their General of every thing they had been able to learn. In conſequence theſe ſuſpicions ſubſided, and tranquility was reſtored. To cement it, the Senate decreed, that the law Varia ſhould be ſuſpended during the war: this was a ſource of diviſion to which the Senate very opportunely put a ſtop, by the wiſdom of this decree. Dio. apud Valeſ. Aſcon. in Or. pro Corn.

The Conſul Rutilius appears to have been a man of little genius, envious, umbrageous, and more greedy of glory than capable of deſerving it. Marius, who was his relation, adviſed him to protract the war; no doubt to give the firſt ardour of the allies time to cool; beſides which, he repreſented, that proviſions abounded in the Roman camp, and could not be wanting, whilſt they had an open communication with Rome, and all the great part of Italy behind them; whereas the enemy, in the country where they made war, would ſoon be reduced to famine. Dio.

A. R. 662. Ant. C. 90. Rutilius imagined that Marius, in propoſing this plan of conduct, conſulted only the motives of his own ambition; that he was deſirous that the year ſhould elapſe without action, in order that he might be created Conſul for the ſeventh time, and have the honour of terminating the war himſelf. With theſe thoughts he rejected Marius's counſels entirely, and took offence at them.

Appian. He was encamped on the * Tolenus, a little river in the country of the Marſi, and below him, on the ſame ſide, at ſome diſtance, was Marius. Each had a bridge upon the river; and oppoſite to them, but neareſt to Marius's bridge, on the other bank, lay Vettius Cato, one of the Prætors of the allies. The latter conjecturing that the Conſul would paſs the Tolenus to attack him, poſted an ambuſcade upon the way in a very obſcure valley. His ſtratagem took effect. Rutilius advanced againſt him; and whilſt they were at blows, the troops in ambuſh appeared on a ſudden, attacked the Roman army, and put it into diſorder. Eight thouſand Romans periſhed in this battle, either by the ſword, or by being puſhed into the river, and drowned. The Conſul himſelf received a wound in the head, of which he died.

Marius then ſhewed that he knew more than either of thoſe Generals. I have ſaid that he was encamped below the Conſul. Having accordingly gueſſed what had paſſed, from the bodies of the Romans that came down the ſtream to him, he ſet out that moment, and finding the camp of Vettius almoſt without any guards, he carried it with little or no reſiſtance. The victor, in conſequence, deprived of his camp and baggage, was obliged to paſs the night upon the field of battle, and retired the next day, without being able to make any advantage of his victory.

It is eaſy to judge, that the death of Rutilius occaſioned great grief at Rome. But that grief was much increaſed, when the body of that Conſul, and

* Now the Turano, in Abruzzo Ulterior.

thoſe

thoſe of ſeveral other illuſtrious perſons, killed in the ſame battle, were brought thither to be laid in the tombs of their anceſtors. The whole city was in mourning and conſternation, which continued ſeveral days. The Senate apprehended, that ſuch ſights, if repeated, might entirely diſcourage the citizens; and decreed, that for the future, ſuch as ſhould be killed in war, ſhould be interred upon the ſpot. The allies paſſed a like decree on their ſide. A. R. 662. Ant. C. 90.

Cæpio commanded a body of troops as Rutilius's Lieutenant, and gained a conſiderable advantage with them, that occaſioned his deſtruction. For, in conſequence of that ſucceſs, the Senate having decreed, that the remaining ſoldiers of the army of Rutilius ſhould be divided between Marius and him, he conceived on a ſudden, that he was become as great a General as he to whom this decree ſeemed to make him equal: and that preſumption inclined him the more to give blindly into the ſnare Pompedius laid for him.

That artful Italian, whoſe camp was at no great diſtance from that of Cæpio, came to him in the night, giving him to underſtand that he would change ſides, and adhere to the Romans. As a pledge for his fidelity, he brought to him two children as hoſtages, which he ſaid were his own, but they were really ſlaves. Beſides which, pretending to be afraid that the allies would revenge themſelves, by depriving him of his eſtate, and for that reaſon to uſe the precaution of ſaving at leaſt ſome part of it, he brought with him counterfeit ingots of gold and ſilver, that is, of lead gilt with both.

Upon theſe proofs Cæpio confided in him: and the impoſtor having adviſed him to march and attack the camp of the allies, which would be much diſconcerted when they ſaw themſelves without a leader; the Roman followed that counſel with entire ſecurity, and began his march. But Pompedius, in the ſpace between the two camps, had poſted an ambuſcade; and when he was near the place, he went up an hill, un-

A. R. 662. Ant. C. 90. der pretence of going to view the poſture of the enemy, but in reality to give his troops the ſignal agreed upon. Cæpio that moment was attacked, defeated, killed, and great part of his army were cut to pieces. Marius drew together ſuch as found means to eſcape, and joined them with the troops under his command.

Hitherto the affairs of the Romans went very ill. The Conſul L. Julius was the firſt who had the glory of an important ſucceſs, which began to raiſe their hopes. He commanded in the war againſt the Samnites, who kept him ſo continually employed, that it was not poſſible for him to find time to go to Rome, to chuſe a Collegue to ſucceed Rutilius; ſo that from the 12th of June, the day of the defeat and death of that unfortunate Conſul, Julius continued alone to the end of the year, at the head of the Commonwealth.

He had received a blow at firſt, which probably conduced to make him more wary. He in conſequence encamped near Papius, General of the Samnites, who was beſieging the city of Acerræ, in Campania: but he contented himſelf with keeping him in continual alarm, and diſtreſſing him otherwiſe in the operations of the ſiege, and avoided coming to a battle. He found himſelf obliged to weaken his army by a ſtratagem of the enemy. The Romans had Numidian auxiliaries with them. Papius cauſed Oxyntas, the ſon of Jugurtha, who had been priſoner at Venuſium, to be brought to his camp; and having made him aſſume all the ornaments of ſovereignty, he frequently ſhewed him to the Numidians. They deſerted in multitudes to join their King: and Julius had no other remedy in his power, than to ſend back all the Numidians in his army to Africa.

Papius, fluſhed with his advantages, reſolved to give the Roman Conſul battle; and ſeeing that he did not quit his camp, he deſpiſed him ſo much as to undertake to force his entrenchments. The Romans defended themſelves with valour; and whilſt they kept

kept the enemy employed at the place attacked, the Conſul made his horſe ſalley through another gate, who charging the Samnites in the rear, entirely broke them, ſo that they left ſix thouſand men upon the ſpot. This victory gave the Romans both joy and hope. The Conſul was declared Imperator by his ſoldiers; and at Rome the people quitted the habit of war to reſume the toga. A. R. 662. Ant. C. 90.

The ſame good fortune did not attend Julius to the end of the campaign. He ſuffered a conſiderable loſs, to which an illneſs, that made him incapable of acting, and obliged him to be carried to and fro in his army in a litter, contributed. For the reſt, all theſe battles, and many that I omit, produced nothing deciſive: and the war continued with equal heat, and almoſt equal forces on both ſides.

Marius did not diſtinguiſh himſelf in it by great exploits. Whether through the neceſſity of circumſtances, or perhaps the ſlowneſs and chill of age, it appears that the general courſe of his conduct was to gain time, and to hazard nothing. He however defeated the Marſi in a battle: but they began the attack, and when he had puſhed them into vineyards ſurrounded with hedges, obſerving that they found it difficult to croſs them in retiring, he was afraid of breaking his own ranks, and gave over the purſuit. Sylla, as if it had been his deſtiny to compleat what Marius had begun, happened accidentally to be on the other ſide of thoſe vineyards, with the body of troops under his command. He fell upon the Marſi, and made a great ſlaughter of them. The number of the ſlain in both the actions of this day are ſaid to amount to ſix thouſand. In this battle fell Herius Aſinius, one of the principal commanders of the allies, who was probably the grandfather of the famous Aſinius Polico.

This nation of the Marſi were very warlike; and it was a common ſaying at Rome, that they had never triumphed either over the Marſi, or without them. Perhaps that conſideration made Marius the more Plut. in Mar.

A. R. 662. Ant. C. 90. cautious in attacking them. However that were, except on the occaſions I have related, he tenaciouſly kept within his camp, without regarding either the complaints of his own ſoldiers, or the inſults of the enemy. And one day when Pompedius Silo advanced within hearing, and cried out with a loud voice, "If "you are a great General, Marius, why don't you "fight?" Marius anſwered, "You ſhould rather be "aſked, if you are a great General, why don't you "force me to fight?"

Plutarch mentions another action, in which Marius's ſoldiers behaved ill, and did not take an advantage given them by the enemy, ſo that the two armies retired back to back. Soon after, Marius aſked leave to quit the ſervice, and returned to Rome, having loſt much of his reputation. He pleaded the rheumatiſm, with which he was much afflicted, as the motive for his retreat; pretending that he had ſupported his ſpirits a great while with a courage beyond his ſtrength, and that his illneſs had at length become ſo exceſſive, that he could withſtand it no longer.

Salluſt. ap. Gell. ii. 27. Sertorius, though he had no command in chief in this war, however ſignalized himſelf by a great number of actions worthy of remembrance. But Salluſt himſelf complains of not being ſufficiently informed of them; becauſe at firſt the obſcurity of the perſon who did them, and afterwards the malice of thoſe who envied him, had buried them in oblivion. He

Plut. in Sertor. was Quæſtor this year, and had Gallia Ciſalpina for his province. Having received orders to levy ſoldiers and make arms there, he acquitted himſelf of both commiſſions with an activity and vigour, which diſtinguiſhed him highly from other perſons of his years, who were generally voluptuous and indolent, and conſidered an office as a title to make others take pains, and to diſpenſe with any application of their own.

He did not confine himſelf to thoſe eaſy functions which require care, but do not expoſe a perſon to any danger. He was preſent at ſeveral battles, wherein he

he expoſed his perſon with the ſame bravery, of which he had given proofs in his firſt campaigns. As he went to battle without ſparing himſelf, he often received wounds, and one in particular, by which he loſt an eye. * But that deformity of his countenance was matter of joy and triumph to him. He ſaid †, that others had not always the advantage of carrying marks of their valour about them; that they were forced to diveſt themſelves of bracelets, crowns, and other military rewards, in order to ſhew them. But as for him, the proofs of his bravery accompanied him every where; and nobody could be a ſpectator of his diſgrace, without being at the ſame time an admirer of his virtue. The people did him juſtice: and one day on his entering the theatre, he was received with applauſes and acclamations, which the oldeſt Generals and moſt reſpected citizens did not always eaſily obtain. A. R. 662. Ant. C. 90.

Virtue is of all ranks and conditions; and after one of the greateſt men Rome ever produced, I am not afraid to mention here an admirable action of two ſlaves. I cannot tell the exact time when it happened: but it undoubtedly was in the war I am now relating. The Romans beſieged Grumentum ‡, in Lucania; and when the city was reduced to the laſt extremity, two ſlaves eſcaped into the camp of the beſiegers. Soon after, the place was taken by ſtorm, and plundered. The two ſlaves at this time ran to the houſe of their miſtreſs, whom they ſeized with a kind of violence, and carried off, threatening her both with their words and geſture: and when they were aſked who ſhe was, they ſaid ſhe was their miſtreſs, and a moſt cruel miſtreſs, upon whom they were going to take revenge for all the barbarous treatment they had ſuffered from her. In this manner they made her Sen. de Ben. iii. 23.

* Quo ille dehoneſtamento corporis maximè lætabatur. SALLUST.

† Τὸς μὲν γὰρ ἄλλυς ἐκ ἀεὶ τὰ μαρτύρια τῶν ἀριςείων περιφέρειν, ἀλλὰ κ) ἀποτίθεδαι τρέπτα κ) δόρατα, κ) ςεφάνυς· αὐτῷ δὲ τῆς ἀνδραγαθίας παραμένειν τὰ γνωρίσματα, τὸς αὐτὸς ἔχοντι τῆς ἀρετῆς ἅμα κ) τῆς συμφορᾶς διατάς. PLUT.

‡ This city was in the country now called Baſilicata.

quit

A. R. 662. Ant. C. 90. quit the city, and conveyed her to a ſafe retreat, where they concealed her with great care. Then, when the fury of the ſoldiery was over, and every thing quiet in the city, they made her return into it, and were ready to obey her as before. She gave them their liberty, which was the greateſt reward in her power to beſtow, but certainly extremely ſhort of the ſervice ſhe had received. I reſume the ſeries of our hiſtory.

Appian. Cn. Pompeius Strabo had * Picenum for his province. He was not ſucceſsful at firſt, as had happened to moſt of the Roman Generals in this war. Immediately after the maſſacre at Aſculum, he attacked the place, and was repulſed with loſs. Being afterwards attacked himſelf near the river Tenna †, by three Generals of the allies, Afranius, Ventidius, and Judacilius, he was defeated, and obliged to retire to the city of Fermo. He was beſieged there by Afranius alone, the other two Italian Prætors having employment elſewhere. Pompeius kept a great while on the defenſive. But at length having advice that Sulpicius approached with a Roman army, he concerted a plan with him for attacking the enemy. At the time fixed he made a vigorous ſalley. Afranius, who thought he had only Pompeius to deal with, employed all his forces to repulſe him. But whilſt they were engaged with almoſt equal advantage, Sulpicius arrived, and ſet the camp of the allies on fire. The fight of the flames terrified the Italians, and to compleat their misfortune, Afranius being killed, the whole army broke and diſperſed. Thoſe who could eſcape the victor, fled to Aſculum; and Pompeius immediately inveſted that city.

The victory, which I have juſt related, reſtored the tranquility of Rome. After that of the Conſul Julius, the citizens had reſumed the toga, or habit of peace; this made the magiſtrates put on the

* Now called Marche d' Acona.
† Now the Tingo.

robe

robe prætexta, and aſſume the other ornaments of their dignity. Thus every thing returned to its ancient order: and the war, in the ſtate it was, was conſidered only as a common war, that did not prevent the city from enjoying the ſweets of peace. A. R. 662. Ant. C. 90.

In the mean time, a new event ſhewed the Romans that they could not hope to extricate themſelves out of danger ſolely by the force of arms. Moſt of the Umbrians, and ſome Tuſcan ſtates, quitted their alliance, and joined the rebels. The example might have fatal conſequences: and the Romans apprehended they ſhould be left alone, if they perſevered in refuſing the general deſire of Italy. The Conſul Julius therefore, with the advice, and by the authority of the Senate, paſſed a law to grant the freedom of Rome to ſuch of the allies as had continued faithful hitherto. By this law, Latium, and part of Tuſcany and Umbria, at length acquired the right, that made them equal with the Romans. They adhered in conſequence more firmly to the Commonwealth: and the other ſtates of Italy alſo conceived hopes of ſharing that privilege with them; at leaſt by laying down their arms. And the war in reality was terminated only by this method. But to bring things to this point much blood was ſtill to be ſhed.

The greatneſs of the danger, and the ſcarcity of men, forced the Romans to admit freedmen into their land-forces, who till then had either been excluded, or very rarely employed. They raiſed twelve cohorts of them, whom they poſted to guard the ſea-coaſts from Cumæ to Rome.

CN. POMPEIUS STRABO.
L. PORCIUS CATO. A. R. 663. Ant. C. 89.

Pompeius and Porcius had deſerved the Conſulſhip conferred upon them by conſiderable ſervices. We have mentioned the victory which the firſt gained over Afranius in Picenum; and Porcius, towards the end of

A. R. 663. Ant. C. 89. of the preceding year, had alſo defeated the ſtates of Tuſcany, who had revolted, in a pitched battle.

Appian. Pompeius in his Conſulſhip had confined himſelf particularly in carrying on the ſiege of Aſculum, which, as I have ſaid, he began before he was elected Conſul. This ſiege was one of the moſt important operations of the war. The Romans were the more eager to take it, as it was this city which had given the ſignal of the revolt: and the allies defended it

Vell. ii. 61. with no leſs vigour. Armies of ſeventy-five thouſand Romans, and ſixty thouſand Italians, fought before Aſculum to haſten, and prevent, the taking of it.

Appian. The efforts of the allies could not make the Romans raiſe the ſiege; but they occaſioned its continuing a great while: and it appears that Pompeius left the command of it during ſome time to L. Julius, Conſul of the preceding year, in order to keep the field himſelf, and oppoſe the different nations of the enemy. He gained a great victory over the Marſi. He reduced the Veſtini * and Peligni to ſubmit and lay down their arms. But we have few particulars of

Senec. de Benef. iii. 23. theſe facts. Seneca has preſerved a very remarkable circumſtance, which relates to the time of the reduction of the Peligni. C. Vettius, who was of that nation, and one of the principal Generals of the allies, had been taken priſoner, and was brought to the Conſul. One of his ſlaves ſnatched the ſoldier's ſword who was dragging him along, and firſt killing his maſter, and then turning the point of it againſt himſelf, "It is time," ſaid he, "that I ſhould provide "for myſelf; I have ſet my maſter at liberty." On ſaying theſe words, he plunged the ſword into his own breaſt, and fell dead. "What ‡ ſlave, cries Seneca, ever delivered his maſter in a more glorious man-

* The Veſtini inhabited the country upon the banks of the Aternus, a river now called Peſcara, in the Abruzzo.

‡ Da mihi quemquam, qui magnificentiùs dominum ſervârit.

ner?"

ner?" But as to us, however glorious this action may be, the ſeverity of the Chriſtian Morality, in reſpect to homicide, does not permit us to praiſe it. And indeed, how many events might have delivered Vettius in a gentler and more happy manner? A. R. 663. Ant. C. 89.

L. Porcius, as well as his Collegue, carried on the war with ſucceſs. He gained various advantages over the Marſi, whom he ſeems to have made it his ſole employment to ſubdue. But at laſt, in attacking their camp near the lake * Fucinus, he was killed, and by his death gave the victory to the enemy. Oroſius imputes his death to young Marius, who deſired to revenge a pretended inſult done by the Conſul to his father. For Porcius, who had the ſame troops that old General had commanded the year before, had boaſted, that "Marius had not done greater things than him." Thoſe words were fatal to him; and in the heat of the battle, an unſeen ſtroke, but from the Roman army, and according to the words of Oroſius, from the hand of young Marius, laid him dead at the foot of the enemy's intrenchments. So black a crime would be incredible, if that young man had not too fully proved in the ſequel, by the moſt horrid cruelties, that he was capable of it. Oroſ. v. 18.

Dio tells us, that this Conſul had enraged his ſoldiers againſt him by ſevere reproaches and haughty behaviour, which had even occaſioned a ſedition, in which he was very near periſhing. The reſentment of the troops may have been either the cauſe of Porcius's death, or the occaſion of Marius's better concealing his guilt. Dio. apud Valeſ.

Sylla ſignalized himſelf in this war above all the Roman Generals. I have related in the foregoing book, in what manner he compleated a victory left imperfect by Marius. This year is more productive of events glorious for him. He commanded, as the Conſul Porcius's Lieutenant, a body of troops in

* Now called the lake of Celano.

Campania,

A. R. 663. Ant. C. 89. Campania, where he deſtroyed the city of Stabiæ on the laſt day of April. From thence he marched to beſiege Pompeii, a city ſituated at the mouth of the Sarno. Whilſt he was employed at this ſiege, his forces were augmented in the manner I proceed to relate.

The Romans had a fleet under the command of Poſtumius Albinus. He was an haughty and violent man, who made his ſoldiers abhor him to ſuch a degree, that they roſe againſt him, and accuſing him of treaſon and holding intelligence with the enemy, they ſtoned him to death. Sylla took upon him the command of theſe ſoldiers, who had embrued their hands in the blood of their General, and incorporated them into his army, without puniſhing the crime they had lately committed. He palliated this bad indulgence with as bad an excuſe; and ſaid, that thoſe troops would only act with more ardour, to expiate the crime they had committed by their ſervices. But his real motives were ambition and ſelf-intereſt. The enmity between him and Marius was then roſe to exceſs; and he propoſed no leſs than to reduce his enemy to extremities, and to deſtroy him. Beſides which, as the war with the allies drew towards an end, he aſpired at having the command of that againſt Mithridates, for which preparations were making. With theſe views he applied himſelf in gaining the affection of the ſoldiers, even at the expence of the moſt inviolable laws of military diſcipline. And he was in effect the firſt Roman General, who ſet the pernicious example of attaching the troops to himſelf, to the prejudice of the Commonwealth, and to ſubſtitute the rights of his country to his private views, ſo that the ſoldiers under his command became the troops of Sylla, and not thoſe of the Roman People. The ambitious conduct of this General will appear more fully in the ſequel. For the preſent, he made himſelf really uſeful to the Commonwealth.

Liv. Epit. lxxv. Plut. in Sylla.

Appian. Cluentius, one of the Generals of the allies, came with a great army of the Samnites to the relief of the

city of Pompeii, and boldly encamped at four hundred paces from the Romans. Sylla, who thought himſelf deſpiſed and inſulted, moved to attack the enemy, though he had ſent great part of his troops to forage. He had reaſon to repent his preſumption, and was repulſed with loſs. But he ſoon had his revenge: when his foragers had rejoined him, he attacked the enemy again, and Cluentius was defeated and obliged to retire. A. R. 663. Ant. C. 89.

This firſt advantage was not deciſive, and the Italian General, having received a reinforcement of Gauls, returned to the charge. We have ſeen, in the courſe of the Roman Hiſtory, ſeveral ſingle combats with Gauls, in which they were never ſucceſsful. It here gives us another with the ſame effect. A Gaul of very great ſtature advanced out of the line, and challenged the braveſt of the Romans to fight. A Moor was ſent againſt him, who was as little as the other was big, and however killed his adverſary. The conſequence was as is natural on ſuch events. The Gaul's death terrified thoſe of his nation. They made a bad defence, were ſoon broke, and drew after them the reſt of the army. Sylla's victory was compleat: he took the enemy's camp, who continued flying, and did not believe themſelves ſafe till they were near Nola. The victor purſued them thither: and without giving them any time, he attacked them again, and entirely ruined that army with its General, who was killed in the action. Appian makes the number of the dead in the firſt action amount to thirty thouſand, and in this to twenty. And what is more ſurpriſing, and even incredible, according to Eutropius, Sylla did not loſe a ſingle man. But a greater authority than that of ſo mean a writer, is neceſſary to make us believe a fact ſo remote from all probability.

Sylla had wrote in his memoirs, that his ſoldiers had honoured him at Nola with a crown Oſidionalis. This crown was not, like others, granted by the General to ſoldiers who had diſtinguiſhed themſelves; Plin. xxii. 6.

but

A. R. 663. Ant. C. 89. but on the contrary, conferred by the troops on their General, who had extricated them out of ſome great danger. It was only of turf: and the graſs, of which it was formed, was to be taken only from the very ſpot where the army had been ſurrounded by the enemy, and from which the wiſdom and valour of the commander had brought it off. We do not ſee, from the facts which I have related after Appian, in what manner Sylla had deſerved this crown. But we muſt aſcribe that to the negligence of this author, and others, to whom we are obliged to have recourſe for theſe times. This crown was the greateſt honour that could be conferred upon a citizen: and Sylla, who was deſirous to perpetuate an event ſo much to his glory, cauſed it to be painted in his country-houſe at Tuſculum, which afterwards belonged to Cicero. * But as Pliny obſerves, it was in vain for the author of a proſcription to take honour to himſelf from a Corona Obſidionalis. He himſelf tore it from his head, when he afterwards deſtroyed a much greater number of citizens than he had ever ſaved.

Appian. Sylla, after ſo great a victory, improved his advantages. He entered the country of the Hirpini: and the inhabitants of Eculanum, which was in a manner the capital, not ſurrendering ſoon enough, he made his troops plunder it. This example of ſeverity intimidated the reſt, and in a few days the whole province ſubmitted.

From thence he marched to Samnium, where he was at firſt in a perplexing ſituation. He had entered a defile near the city of Eſernia, having an army of Samnites, commanded by Papius Mutilius, to oppoſe him. Sylla was a man of preſence of mind in difficulties. He managed in ſuch a manner, that he had an interview with the General of the enemy, under pretext of negociating an accommodation. Nothing

* Quod ſi verum eſt, hoc exſecrabiliorem eum dixerim: quandoquidem eam capiti ſuo proſcriptione ſua ipſe detraxit, tanto paucioribus civium ſervatis, quam poſtea occiſis.

was

was concluded in it. But the truce, by a very natural effect, occaſioned a ſecurity amongſt the Samnites, which leſſened their attention and vigilance. The Roman took his advantage of this; and favoured by the ſilence and obſcurity of the night, made his troops ſet out, leaving only one trumpet in his camp to ſound as uſual the beginning of each watch, every three hours. At the fourth watch the trumpet himſelf withdrew to rejoin the army, which by this means got ſafely out of the defile. A. R. 663. Ant. C. 89.

Sylla did not ſatisfy himſelf with only eſcaping the danger. Having marched round the camp of the Samnites, he attacked them in a part where he was leaſt expected, defeated them, and took their camp. Papius eſcaped wounded by Eſernia. Sylla put an end to this glorious campaign by a conſiderable conqueſt. He attacked * Bovianum, a very conſiderable city, where the Samnites held their general aſſembly, and which was fortified with three citadels. He aſſaulted it in ſeveral places at the ſame time, and in three hours carried the place.

After ſo many great exploits Sylla returned to Rome, to ſtand for the Conſulſhip, to which few candidates had ever offered themſelves with the recommendation of ſuch great and glorious ſervices. He brought with him the moſt unexceptionable reputation. All the world conſidered him as a great warrior: his friends extolled him as the principal General of Rome; and even his enemies could not refuſe him the title of ſucceſsful Captain. Plut. in Sylla.

He took no manner of offence at this language of his enemies. On the contrary, he was extremely delighted with paſſing for the favourite of fortune; whether that was out of oſtentation, and to take honour to himſelf on the protection of heaven, or perhaps from conviction of mind. Plutarch repeats circumſtances from Sylla's memoirs to this effect, which are entirely ſingular. He ſaid in them, that he ſucceeded

* Now Boiano, in the county of Moliſa.

A. R. 663. Ant. C. 89. better in accidental enterprizes, than in thoſe he had premeditated, and intended to conduct prudentially. He confeſſed that he was more fortunate than capable in war; and adviſed Lucullus, to whom he dedicated them, to rely on nothing ſo much as on what the gods ſhould inſpire him with in dreams. All this ſeems to prove, that he actually believed in fortune. And the thing cannot appear ſo ſtrange in ſo odd and capricious a genius as his. Plutarch in the ſame place gives us a deſcription of him, which I ought not to omit to readers who are deſirous to know mankind well.

He was inconſiſtent, and perpetually in contradiction to himſelf. He took away from ſome with violence, and beſtowed upon others with profuſion: he honoured perſons without reaſon, and inſulted in the ſame manner: he made his court with addreſs to thoſe of whom he had occaſion; and behaved haughtily to ſuch as ſtood in need of him; ſo that it was doubted, whether he was moſt proud, or moſt a flatterer. He was the ſame unequal man in his reſentments and revenge: ſometimes he would inflict puniſhment for the ſlighteſt faults, and on other occaſions ſuffered the greateſt offences patiently: he would eaſily be reconciled to thoſe who had done him the moſt extreme injuries, and revenged the ſlighteſt imprudences with murder and confiſcation of fortune. Perhaps, ſays Plutarch, this inequality of conduct in reſpect to thoſe he hurt might be explained, by ſaying, that his diſpoſition and intereſt ſwayed him alternately; and that, though naturally inclined to revenge, he checked and moderated himſelf by reflexion, when the good of his affairs required it. And may not the ſame key ſolve moſt of his other inconſiſtencies? I return to the war with the allies, of which I have ſtill ſome events to relate, all more and more to the diſadvantage of the Italian league.

The Marſi, who had been one of its ſtrongeſt ſupports, quitted it, being tired and ſubdued by their paſt loſſes, and the new ones they ſuſtained from Mu-

ræna

ræna and Metellus Pius. The Peligni had alſo ſubmitted, as I have related. The Romans in conſequence being maſters of Corfinium, which the rebels had made their metropolis, it was neceſſary to transfer the general council to Eſernia, a city of the Samnites, who, by the defection of the Marſi, found themſelves alone at the head of all the ſtates that perſiſted in their fidelity to the aſſociation. They elected five Prætors or Generals, amongſt whom they gave the principal authority to Pompedius Silo. He deſerved this preference by his ability in war, his courage, and eſpecially, his tenaciouſneſs in the revolt, of which himſelf had been the firſt author, and which could not make him abandon the example even of his own nation, that is, of the Marſi, who had lately made their ſubmiſſion. He aſſembled an army of thirty thouſand foot and a thouſand horſe: and being reduced by neceſſity to try every kind of reſource, he even gave ſlaves, who would join him, their liberty; and having drawn together about twenty thouſand of them, he armed them in the beſt manner he could. With theſe troops he retarded for ſome time the entire ruin of his party.

A. R. 663. Ant. C. 89. Liv. Epit. lxxvi. Diod. Ec. lxxxvii.

In the mean time, the ſiege of Aſculum, which had continued part of the year, at length ended to the advantage of the Romans. When the city was reduced to extremities, Judacilius, who was a native of it, tried a laſt effort to preſerve it. He was one of the principal leaders of the Italians, a man of vigour and courage. For this purpoſe, he drew together eight * cohorts, and beginning his march, ſent a courier to the Aſculani, to adviſe them to watch his arrival, and to ſally upon the beſiegers, whilſt he ſhould attack their entrenchments on the other ſide. He was in hopes, that the Romans encloſed between two fires, might be put into confuſion, and that he might perhaps have occaſion to give them a great blow, and thereby force them to raiſe the ſiege. The plan was not ill conceived: but the inhabitants wanted cou-

Appian.

* The cohort uſually conſiſted of 500 men.

A. R. 663. Ant. C. 89. rage; ſo that all Judacilius could do, was to break into the city with part of his followers. He reproached his countrymen in the warmeſt terms with their cowardice: and ſeeing that he had nothing farther to hope, he reſolved to die: but firſt he determined to be revenged of his enemies, who had often taken pleaſure in oppoſing his deſigns, and who juſt before had prevented the execution of his laſt orders. As he was ſtrongeſt in the city, he cauſed them all to be ſeized and put to death. After having ſatiated his revenge, he thought it acting for his own glory, to revive the example ſet by Vibius Virius at the taking of Capua. He invited his friends to a great entertainment, and exhorted them to prevent with him the diſaſter of their common country, by a voluntary death. Every one praiſed his courage, but none would imitate it. In conſequence, he took the poiſon: and as he had taken care beforehand to have a funeral pile erected, he cauſed himſelf to be carried to the top of it, and ordered his friends to ſet it on fire. Thus periſhed this brave man, ſeduced, no doubt, by the idea of glory, which the Pagan world annexed to ſelf-murder. But, according to the mere lights of reaſon, what glory does a death deſerve, that was of no utility to the publick and the common cauſe, and of which the whole fruit could only terminate in preſerving the perſon, who killed himſelf, from the evils which he dreads ſtill more than death?

App. Oroſ. Though the authors, who have ſpoke of the death of Judacilius, ſeem to place that event at the beginning of the ſiege, I have choſe to relate it at the end; becauſe it did not ſeem probable in the leaſt, that this General ſhould have taken ſo deſperate a reſolution, if he had ſeen his country in a condition to make a longer reſiſtance. I aſſure myſelf, therefore, that the taking of Aſculum ſoon followed his death; and that the deſpair of the leader, having occaſioned that of the multitude, the city either ſurrendered at diſcretion, or being ill defended by the diſcouraged inhabitants, was taken by ſtorm. The Conſul Pompeius made

made this unfortunate city an example of ſeverity. The principal citizens, and all the officers of war, were ſcourged with rods, and beheaded: he ſpared the lives of the reſt, but deprived them of their ſlaves and all they poſſeſſed: the city itſelf was demoliſhed to its foundation. In this manner the blood of the Roman citizens, who had been maſſacred there, at the beginning of the war, was revenged. A. R. 663. Ant. C. 89.

Hitherto it had not been the cuſtom to grant a triumph for having reconquered what had formerly belonged to the Commonwealth. However, Pompeius triumphed over the Aſculans, and people of Picenum, the ſixth day before the calends of January, that is, the * 25th of December. Amongſt the priſoners, which he led in triumph, ſeveral writers have mentioned P. Ventidius, who undoubtedly was the ſon of him whom we have named amongſt the moſt illuſtrious leaders of the allies. This ſame Ventidius, now led in triumph, will triumph himſelf in fifty years: a memorable example of the viciſſitude and inſtability of all human things, in good as well as ill. Faſti Capit. Vell. ii. 65. Plin. vii. 43. A. Gell. xv. 4.

Pompeius had cauſed all the plunder of Aſculum to be ſold: but though the publick treaſury was exhauſted, he carried no part of the money he had raiſed by that ſale into it. He was a man whoſe ability in war conſtituted his ſole praiſe: for the reſt, he was exceſſively avaricious, and little ſcrupulous in reſpect to the means of enriching himſelf. And this is not the only vice with which hiſtory reproaches him, as we ſhall have occaſion to obſerve in the ſequel. Oroſ. Plut. Pomp.

The Italian league was extremely weakened, and the following year loſt the perſon who was its ſoul and mover, Pompedius Silo. He had however ſome ſucceſs at firſt, and had even retaken the city of Bovianum. Intent upon purſuing the ſyſtem he had A. R. 664. Jul. Obſeq.

* In Numa's calendar, which the Romans then followed, December had only 29 days.

A. R. 664. Ant. C. 88. laid down to himſelf, of ſetting his Commonwealth on a level with that of Rome, he was deſirous to triumph, and actually did triumph in his new conqueſt. But ſuperſtitious antiquity has obſerved, that he thereby gave an omen of his future defeat; becauſe it was into the victorious city that he entered in triumph, and not into one conquered. Soon after he loſt a great battle, in which he was killed: and with him expired the whole glory of his party, which from thenceforth only dwindled.

It ſeems very probable to me, that the embaſſy ſent by the allies to Mithridates, to implore his aid, and invite him to unite with them againſt Rome, is to be aſcribed to this obſtinate enemy of the Roman name. For the reſt, if the author of this deliberation is not certainly known, the fact is however certain from Diodorus Siculus. The hatred of theſe Italians muſt have roſe to madneſs, to have induced them to ſeek ſo remote a protection, and one which ought to have been ſuſpected and odious to them, from ſo many cauſes: and hence it appears, that it is after ſtrict hiſtorical truth one of our greateſt poets introduces Mithridates ſaying to his children:

Diod. Eclog. l. xxxvii.

Racine.

Non, Princes, ce n'eſt point au bout de l'Univers,
Que Rome fait ſentir tout le poids de ſes fers:
Et de pres inſpirant les haines les plus fortes,
Tes plus grands enemis, Rome, ſont a tes portes.

In Engliſh:

"No, 'tis not only at the world's extremities
"Rome makes the nations feel her iron yoke;
"At home they ſigh, and they abhor her ſway,
"And her worſt enemies are at her gates."

The King of Pontus did not afford much attention to this embaſſy, and replied coldly, that when he ſhould have terminated the affairs of Aſia, which actually employed him, he would go and join his forces with thoſe of the Italians.

This

This was the laſt conſiderable ſtep taken by the rebels. From thenceforth, though the Lucanians and Samnites continued ſtill in arms, I find no more events that directly and ſolely belong to the war with the allies. They no longer make a party alone, but are confounded with thoſe of Marius and Cinna. A. R. 664. Ant. C. 88.

Almoſt all the ſtates of Italy had then the freedom of Rome. For it had been granted them in proportion as they laid down their arms. From hence aroſe a prodigious number of new citizens, which extremely perplexed Rome. As * their multitude was immenſe, to diſtribute them into the five-and-thirty Tribes was making them maſters of every thing; it was annulling all the dignity and power of the ancient citizens; and theſe new comers, adopted through favour, would have cruſhed thoſe from whom they held their privilege. It was therefore reſolved to form eight new Tribes, in which all the new citizens ſhould be included. This plan, copied from that of King Servius Tullius, in the eſtabliſhment and diſtribution of the centuries, remedied all inconveniences. The old citizens entirely retained their ſuperiority, as being much leſs in number; they had thirty-five voices, whilſt the others had but eight: and beſides, as theſe new Tribes were to be only called to vote laſt, it was natural, that the majority ſhould be very frequently formed before it came to their turn to give their ſuffrages. The allies, now become citizens, acquieſced at that time in every thing; whether they did not perceive the great advantage that regulation gave the ancient citizens over them, or were ſatisfied with acquiring the freedom of Rome at any rate whatſoever. Appian. Vol. I. l. i. §. 6.

It is probable, that in order to eſtabliſh this, two Cenſors were created in the year of the Conſulſhip of Cn. Pompeius, who were P. Craſſus, and L. Julius Cæſar, Conſul the year before. Nothing elſe, that A. R. 663.

* Ne potentia eorum, & multitudo veterum civium dignitatem frangeret, pluſque poſſent recepti in beneficium quam auctores beneficii. Vell. ii. 20.

A. R. 663. Ant. C. 89. paſſed in the Cenſorſhip, except that they made ſome decrees againſt the luxury of the table, is come down to us.

This ſame year 663, a crime was committed in the publick Forum of Rome, unheard of before, and which demonſtrated that the laws had loſt their whole credit and authority, and were reduced to give way to force, which took place of right and juſtice. Debts had in all times occaſioned great troubles at Rome. We have frequently mentioned them in this hiſtory. The avidity of thoſe who lent money, was not contented with the intereſt allowed by the Roman laws, and exacted greater. The debtors were entirely ruined, and did not pay. This evil was exceſſively felt at the time of which we are ſpeaking, becauſe the circumſtance of a war ſo near home, ſo dangerous, and which required ſuch great expences, had made money very ſcarce, and had ruined the fortunes of a great number of particulars. The mercileſs creditors, however, abated nothing of their rigour: ſo that the debtors called out for the protection of the laws, and pretended not only to a right to be allowed delays of payment on account of the bad ſtate of their affairs, but to have their creditors treated as violators of the laws, in exacting greater intereſts than they allowed.

A. Sempronius Aſellio, Prætor of the city, and in that capacity ſupreme judge of this kind of conteſts, endeavoured to moderate the affair, and put an end to the quarrel by the method of accommodation. But that not being poſſible, as he was a juſt man, he opened the tribunals to the debtors, and cauſed juſtice to be done them. Upon this, the creditors became furious, and not being able to overcome the Magiſtrate's conſtancy, they reſolved to rid themſelves of him; and executed their deſign with incredible audaciouſneſs. Supported by L. Caſſius, Tribune of the People (for it was neceſſary that the Tribunes ſhould have a ſhare in all the violences committed at Rome), they attacked Aſellio in the Forum itſelf, whilſt

whilſt he was ſacrificing. The unfortunate Prætor, finding himſelf ſtruck by a ſtone, and ſeeing an enraged multitude around him, threw down the ſacred cup which he held in his hand, and endeavoured to fly to the temple of Veſta. But they interpoſed, and forced him to retire into a publick houſe, where they knocked him on the head. Some of thoſe who purſued him, and who had ſeen him running towards Veſta's temple, believed he had got into it, and were not afraid to force the barriers of that ſacred aſylum. Notwithſtanding the moſt ſacred laws, which did not permit men to enter it, they made the ſtricteſt ſearch in places that religion ought to have made inviolable to them. Thus periſhed a Prætor, actually employed at a ſacrifice, dreſſed in the ſacred ornaments, and that at noon-day, in the publick Forum. And the authors of this enormous crime had combined together in ſuch a manner, and knew ſo well how to ſhut all mouths that could accuſe them, that it was not poſſible to find proofs againſt any one of them. The Senate publiſhed a decree in vain, to invite all ſuch as had any knowledge of the guilty, to declare what they knew, promiſing them rewards; liberty, if they were ſlaves; a ſum of money, if free; and pardon, if accomplices. Nobody appeared to make the diſcovery; and ſo atrocious a crime remained unpuniſhed. What juſtice could private perſons expect in a city, where it had coſt a magiſtrate his life for having done juſtice? Did not Rome in conſequence fall back into the confuſion aſcribed by the poets to the firſt men in the ſavage ſtate of nature, before the inſtitution of ſocieties? A. R. 663. Ant. C. 89.

It was probably to prevent the like exceſſes for the future, that M. Plautius Sylvanus, Tribune of the people, propoſed and paſſed a law concerning publick violence, *de vi publica*. The Civilians differ in their conſtruction of thoſe words. Let it ſuffice to obſerve, that the force of them intends all violence, contrary to the peace and good order of the publick: and

A. R. 663. Ant. C. 98. and that idea includes many things, and may have very great extent.

Aſcon. in Orat. pro Com. The ſame Tribune of the People reinſtated the Senators in a ſhare of the adminiſtration of juſtice. Cæpio and Druſus had attempted the ſame thing, but ineffectually: and the Knights had been the ſole judges ſince the law of C. Gracchus. Plautius gave a new turn to that he propoſed, which perhaps conduced to its being paſſed with more eaſe. He decreed, that each Tribe ſhould nominate fifteen citizens every year to act as judges. According to this plan, the judges might be indifferently either Senators, Knights, or even of the order of the People. The law was accepted, and was in force till Sylla's Dictatorſhip.

To conclude what remains of the year 663, I have only to ſpeak of the election of the Conſuls. I have ſaid that Sylla was returned to Rome. His ſervices ſpoke highly in his favour. He however had a competitor it coſt him great pains to overcome. This was C. Cæſar, the brother of L. Cæſar, who had been Conſul the firſt year of the war with the allies, and was then Cenſor. He was alſo brother, by the mother's ſide, to Catulus, who conquered the Cimbri. Supported by the credit of two ſuch illuſtrious brothers, and with abundance of perſonal merit, he thought he might ſet himſelf above rules, and pretend to the Conſulſhip, though he had been only Ædile, and not Prætor. It is probable that he was ſupported by * Marius, who was for excluding Sylla. For as Sylla and Cæſar were both Patricians, they could not be Conſuls together.

Aſcon. in Orat. pro Scauro.

P. Sulpicius, the young orator, of whom we have ſpoke on the occaſion of the trial of Norbanus, being then Tribune, oppoſed the irregular ſtanding of C. Cæſar, who was however his friend. They were both eloquent, but in a quite different manner. Ve-

* Diodorus Siculus, who is the only author that mentions Marius in this affair, ſays, that he acted againſt Cæſar. But Sylla's competitor could not have Marius againſt him.

hemence conſtituted the character of Sulpicius, as we have ſaid. * Cæſar had pleaſantry, and the graces. His ſtile had the moſt delightful urbanity, and never man knew better how to ſeaſon his diſcourſe with ſalt and humour: but he wanted force and ſpirit. He however ſhewed both on the occaſion of which we are ſpeaking, as well as his adverſary. Speeches were made on both ſides before the people, not without debates and ſedition. At length C. Cæſar was obliged to give way: and Sylla was elected Conſul with Q. Pompeius Rufus. A. R. 663. Ant. C. 89.

The ſucceſs of Sulpicius in this affair fluſhed and ruined him. We ſhall ſee him next year turn again in favour of Marius againſt Sylla, become one of the principal cauſes of the publick calamities, and at length draw an unhappy death upon himſelf.

* C. Julius orator fuit minimè ille quidem vehemens: ſed nemo unquam urbanitate, nemo lepore, nemo ſuavitate conditior. Cic. Bruto, n. 177.

THE

THE

ROMAN HISTORY, &c.

By Mr. CREVIER,

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Being the Continuation of Mr. ROLLIN's Work.

ADVERTISEMENT

TO THE

TENTH VOLUME of the First Edition.

I Thought, that it was perhaps without much reflexion, a certain Writer of reputation in several kinds of literature had advanced, as I have observed in the Advertisement to the Ninth Volume, that the serious study of History ought not to be began till towards the end of the fifteenth century. I was deceived; it was not an opinion that had escaped him inconsiderately; it seems, it is a System, a Thesis, that he maintains with argumentation and proofs.

"To treat Ancient History," says he, "* is, in my opinion, to compile some truths with a thousand lies. That History is perhaps useful as Fable is so.—The exploits of Alexander are to be known only as we know the Labours of Hercules."

I admit that a critical discernment is necessary in the Study of Ancient History, and that we ought not blindly to adopt all that we find laid down in books. But there are rules for distinguishing the true from the false; and if it be weakness to believe, it is rashness to reject, every thing.

* Considerations upon History annexed to the Merope Françoise, p. 115.

I pro-

I proceed, for inſtance, to a principle equally ſimple and luminous, which ought to reconcile the illuſtrious Author, whom I take the liberty to refute, at leaſt to a part of the Facts of Ancient Hiſtory. It is not the remoteneſs of time, that occaſions uncertainty in reſpect to thoſe facts; it is the want of cotemporary Writers. If events had been delivered down to Poſterity by perſons of ſenſe, who had either been witneſſes, or actors, in them, or who had means of being exactly informed in them, we ſhould then, in reading their works, become ourſelves in ſome meaſure Cotemporary with thoſe facts: and I really believe, we can no more doubt what Polybius has left us concerning the war of Hannibal, than what Comines has wrote in his Hiſtory. Admitting this, wherefore ſhould we baniſh the Hiſtory of Alexander into the region of Fables, and place it on a level with the Labours of Hercules? Not to mention a thouſand other proofs, that Hiſtory had been wrote by Ptolomy, ſon of Lagus, and by Ariſtobulus, both companions of that famous Conqueror in all his expeditions; and Arrian, whoſe Work we have, has followed the Memoirs of thoſe two cotemporary Writers. In conſequence, the Hiſtory of Alexander admits no doubt, and the moſt exceſſive pyrrhoniſm itſelf cannot call its certainty in queſtion.

As much may be ſaid in reſpect to the Hiſtory of Greece by the Perſians, written by Herodotus; to that of the Peloponneſian War by Thucydides, and the continuation of it by Xenophon. The ſame principle, applied to the Roman Hiſtory, ſupports us entirely in regard to the facts related by Cæſar, Salluſt, Tacitus, Suetonius; and in going back a little farther, by Polybius, a writer of no great elegance, but infinitely judicious, and one whoſe authority has always been extremely revered. I cite this ſmall number of Authors and facts by way of examples;

amples; not that I pretend to call in queſtion the certainty of the Roman Hiſtory before the time of Pyrrhus, as a certain author of great merit has done. But it would require more diſcuſſion to eſtabliſh that certainty than would ſuit this Advertiſement; and I muſt be contented to refer the Reader upon this head to the various Diſſertations of the Learned of the Academy of the Belles Lettres, in which it has been clearly proved.

I infer then, that Polybius is a Writer whoſe authority is indiſputable; and therefore I cannot eaſily conceive how any one can find room for ridiculing what Mr. Rollin has related after him, concerning the Tyrant Nabis, and the cruel machine which he uſed for tormenting thoſe who refuſed to give him money. And indeed, neither Polybius, nor Mr. Rollin, ſay, "that Tyrant made thoſe who brought him money embrace his wife;" which is an unfair addition to the narration of thoſe Hiſtorians. But as to the reſt, what difficulty is there to comprehend, that a machine, in the ſhape of a Woman, and provided under cloaths with iron ſpikes, might be made to move by the means of ſprings; and that by preſſing it againſt the breaſt of a man, it might torture him extremely. This Mr. Rollin relates after Polybius, who might have ſeen Nabis, and had paſſed his youth with perſons of that Tyrant's intimate acquaintance.

Polyb. l. XIII.

Conſid. ſur l'Hiſt. p. 120.

I do not think in the ſame manner of Curtius's accounts, the ſhields that fell from Heaven, and the like ſtories, juſtly rejected by the ingenious Cenſor. Mr. Rollin repeats them as he found them in the originals, but without believing them himſelf, or expecting his Readers to believe them. It was impoſſible to omit them in a Roman Hiſtory; which ſuffices to juſtify him.

But the regard which I have for the memory of that great man, does not admit me to be ſilent on our

Critick's affecting to diſtinguiſh him moſt frequently by the ſingle title of *Rheteur*, Rhetorician. He would undoubtedly have taken no offence at a name, that is no leſs honourable than that of a Poet. But it is ſo eaſy to have added other characters to it, as polite Writer, and nervous Author, whoſe animated Works inſpire the love of virtue and reſpect for Religion; zealous for the publick good, modeſt Cenſurer, noble and generous ſoul, who praiſes with joy, and blames with reſerve and repugnance; it is, I ſay, ſo eaſy to have deſigned him by theſe marks and abundance of others, that have acquired him the praiſes of all Europe, that I cannot ſufficiently wonder to find him deſcribed ſolely by the moſt minute of all his titles. When a perſon thinks himſelf obliged to cenſure ſuch a Writer, in my opinion, the leaſt he can do is to begin by giving him his due praiſe, and that it is ſhewing a regard for one's own reputation, to pay homage to that of a man ſo univerſally eſteemed.

It is not that I conſider the quality of Rhetorician as below Mr. Rollin. Every profeſſion of a man of letters is noble in itſelf, and by its object; the only queſtion is to exerciſe it with ſuperiority, as he has done. In this point, I think him capable of ſuſtaining his adverſary's charge with advantage; and this I undertake to prove the more willingly, as in juſtifying him, I ſhall at the ſame time juſtify one of the fineſt of our Orators.

Lettre ſur l'Eſprit, p. 100.

The ſame Critick blames Mr. Rollin for having quoted the following paſſage in Mr. Flechier's funeral Oration upon the Marſhal Turenne with praiſe: "Powers, enemies to France, you live: and Chriſtian Charity forbids me to frame any wiſhes for your deaths. May you only acknowledge the juſtice of our arms; accept the peace, which, notwithſtanding your loſſes, you have ſo often rejected; and with the abundance of your tears extinguiſh the flames of a war you have unfortunately kindled. God forbid, that

that I ſhould carry my wiſhes farther! The judgments of God are impenetrable. But you live: and I deplore in this Chair a wiſe and virtuous Captain, whoſe intentions were pure and upright, and whoſe virtue ſeemed to merit a greater extent of life." This is the paſſage criticized, which it was proper to repeat in all its extent. We come now to our Critick's obſervations.

" An Apoſtrophe in this taſte might have been proper at Rome in the Civil War after the aſſaſſination of Pompey, or in London after the murder of Charles the Firſt: becauſe the intereſts of Pompey and Charles the Firſt were the queſtion. But does it conſiſt with decency, ingenuouſly in the roſtrum to deſire the deaths of the Emperor, the King of Spain, and the Electors, and to put in ballance with them the General of a King their enemy? Are the intentions of a Captain, which can extend no farther than the ſervice of his Prince, to be compared with the political intereſts of the crowned heads againſt whom he ſerved? What ſhould we ſay of a German, who ſhould have deſired the death of the King of France, on the occaſion of General Mercy's being killed, whoſe intentions were pure and upright? Why then has this paſſage always been praiſed by Rhetoricians? It is becauſe the Figure in itſelf is fine and pathetick; but they do not examine the thought with reſpect to its foundation and conſiſtency. Plutarch had ſaid to Flechier: " You have ſaid a fine thing; but all it wants is ap- " plication."

It muſt be owned, that this Criticiſm is very ſevere. I muſt however add, that it could only come from a man of a fine genius, and a great judge of conſiſtency.

But is it real, that the Orator deſires the death of the Emperor and the King of Spain? He condemns

that wiſh; he diſowns it; and confines himſelf to vows more conformable to morality and religion, and which are by no means repugnant to the reſpect due to Potentates, though enemies.

He indeed, though with abundance of reſerve, makes a compariſon between the Powers then at war with France and the Prince of Turenne, and from that compariſon he ſeems to infer, that the French General was more worthy of living: ſo that had it been left to the choice and judgment of the Orator, upon whom the thunder ought to have fallen, he would have ſaved the Marſhal Turenne. But what is there injurious to Princes, not only foreigners, but ſtrangers, in a preference founded ſolely upon perſonal qualities, and which does not in the leaſt attack the ſublime preheminence of crowned Heads. Such an Apoſtrophe had undoubtedly been wrong-placed at Vienna and Madrid: But it was ſpoke at Paris.

As to Mr. Turenne's pure intentions, which, ſays our Author, could only be to ſerve his King, it is certain in a Monarchical State, that is the principal duty of a General, conſidered as ſuch. But as a Man and a Chriſtian, he can and ought to unite with his intention of ſerving his Prince, that of contributing to the reeſtabliſhment of peace, and direct his whole conduct to that end with entire integrity, not to be diverted by any view of particular intereſt. It is this purity and uprightneſs of intention for peace, that Mr. Flechier ſeems to have had principally in view, and which he oppoſes to the conduct of the enemy Princes, who have unfortunately kindled the war.

This paſſage therefore of Mr. Flechier does not ſeem "a fine thing without application," and one which is only to be praiſed by Rhetoricians.

II. At

II. At the ſame time that I think it allowable for me to obſerve upon an illuſtrious Author's want of deference for Mr. Rollin, I am afraid I ſhall appear myſelf in this tenth Volume to forget the reſpect I owe him on ſo many accounts. I begin in it to treat the war of Mithridates anew, which he has related in the Ancient Hiſtory: and if Plutarch thinks himſelf obliged to excuſe himſelf to his Readers for venturing to relate the unfortunate expedition of the Athenians againſt Sicily after Thucydides, the ſituation I am in, with reſpect to Mr. Rollin, makes it a much more indiſpenſible duty for me at leaſt to give the publick an account of the motives of my conduct.

My firſt inclination was no doubt to reſpect a ſubject already executed by my Maſter, and to take all the advantage from his riches that I poſſibly could. This plan was at once both the moſt modeſt and the ſafeſt. I might ſecurely have relied upon the approbation of the Publick, at leaſt for the borrowed paſſages, that it has already received ſo favourably. But I thought, that by obſerving ſuch a conduct, I ſhould preſent the Publick with what it already poſſeſſed: and I aſſured myſelf that it was meritorious to do otherwiſe, even though not ſo well.

Beſides which, it could not be required of Mr. Rollin, to treat the ſubjects he had already related, as they occurred, in a new manner. The ſame perſon has often but one way of conſidering an object. It would be but a ſuperfluous kind of fecundity, and worthy only of the Schools, to pique oneſelf upon performing two quite different works upon the ſame Hiſtorian. But as for me, to whom the ſubject is entirely new, I might be accuſed of ſloth, if I choſe rather to take it done to my hand, than to work upon it myſelf.

These considerations had already made a great impression upon me, and the opinion of friends I have reason to respect finally determined me.

I therefore give here the beginning of the War of Mithridates, treated in my own manner, and I shall do the same in respect to the other common subjects of the Ancient and Roman Histories.

I only intreat, that I may not be compared with my Master; and if my work, considered in itself, be so fortunate not entirely to displease, that nothing more be required at my hands, and that I may not be reproached for not having done better than was in my power.

THE

THE ROMAN HISTORY.

BOOK THE THIRTY-FIRST. Continued.

SECT. II.

Marius's jealouſy of Sylla riſes to exceſs on the occaſion of a preſent made by Bocchus to the Roman People. Both are ambitious of commanding in the war againſt Mithridates. Marius is ſupported by P. Sulpicius. That Tribune's character. The Senate, having given Sylla the command of the war againſt Mithridates, Sulpicius endeavours to make the People transfer it to Marius. Sedition upon that occaſion. Marius prevails, and has the employment he deſired conferred upon him by the People. Sylla marches with his army againſt Rome. Perplexity of Marius. Deputations ſent by him to Sylla in the name of the Senate. The latter ſeizes Rome. Marius flies. Sylla prevents Rome from being plundered. He reforms the government, raiſes the authority of the Senate, and depreſſes that of the People. He cauſes Marius, Sulpicius, and ten other Senators, to be declared enemies of the publick. Sulpicius is taken and killed. Flight of Marius. Sylla's moderation. He ſuffers Cinna to be elected Conſul. Marius's party reſume courage. The Conſul Q. Pompeius is killed by his ſoldiers.

Cinna, in order to force Sylla to quit Italy, cauſes him to be accuſed by a Tribune of the People. He endeavours to have Marius recalled. To ſucceed in that view, he undertakes to mingle the new citizens with the old tribes. Sedition on that occaſion. Cinna is driven out of the city. He has Sertorius with him. Cinna is deprived of the Conſulſhip, and Merula appointed in his ſtead. He gains the army which was in Campania. He conciliates the States of Italy to his intereſt. Perplexity of the Conſuls. Marius returns into Italy, and is received by Cinna. They march againſt Rome. Pompeius Strabo comes at laſt to the aid of Rome. Battle, in which one brother kills another. The Samnites join Cinna's party. Death of Pompeius Strabo. Hatred of the public for him. Marius offers Octavius battle, who dares not accept his defiance. Deputies ſent to Cinna by the Senate. Merula abdicates the Conſulſhip. New deputation to Cinna. Council held by Marius and Cinna, wherein the deaths of thoſe of the contrary party are reſolved. Marius and Cinna enter the city, which is given up to all the horrors of war. Death of the Conſul Octavius. Death of the two brothers L. and C. Cæſar, and of the Craſſi, father and ſon. Death of the orator M. Antonius, Catulus, and Merula. Horrible ſlaughter at Rome. Cornutus ſaved by his ſlaves. Humanity of the Roman People. Lenity of Sertorius. New cruelties of Marius. His death. Scævola wounded with a dagger at the funeral of Marius. Reflexion upon the character of Marius, and his fortune. Reflexion upon the ſtate of Rome.

A. R. 664. Ant. C. 88. L. CORNELIUS SYLLA, Q. POMPEIUS RUFUS.

DURING the Conſulſhip of Sylla, the enmity between him and Marius was carried to the higheſt exceſſes, and became a war in form. Two years before, ſwords were very near being drawn upon the occaſion of a preſent made by Bocchus to the Roman

Roman People. It was ſtatues of victory carrying trophies, and attended with a group of gold, that repreſented Jugurtha delivered up to Sylla by Bocchus. These ſtatues were placed in the Capitol: which piqued Marius's jealouſy. He could not ſuffer that Sylla ſhould aſcribe to himſelf the glory of having terminated the war with the King of Numidia. He was for having the ſtatues removed from the Capitol, which Sylla oppoſed. The friends of both had already drawn up around their leaders; and were upon the point of coming to blows, when the war of the Allies, which broke out at this juncture, forced the two factions to unite, at leaſt for a time, againſt the common enemy. A.R. 664. Ant. C. 88. Plut. in Mar. & Sylla. Appian. Civ. l. 1.

This ill-extinguiſhed fire broke out again as ſoon as the danger was over. A new ſubject engroſſed the thoughts of the two heads of party: this was the command of the war againſt Mithridates, of which both were ambitious, as an occaſion of acquiring great glory and riches, without much danger. In Sylla, that deſire had nothing extraordinary, and contrary to reaſon. He was ſtill in the vigour of life, being then nine-and-forty; he had lately done great ſervices, and ſignalized himſelf exceedingly in a difficult, dangerous, and diſagreeable war. In a word, he was Conſul, and in that capacity actually General of the Roman armies; ſo that he had a juſt right to appropriate the firſt and moſt glorious province to himſelf.

Marius had no other titles but his ambition and avidity, paſſions that never grow old. He could not bear to be conſidered in the Commonwealth, like thoſe old ruſty arms, to uſe Plutarch's words, that are never intended for farther uſe. Having none of the talents that could diſtinguiſh a citizen in time of peace, and deſiring to ſhine at any price whatſoever, he languiſhed after war, and did not conſider any of the reaſons that rendered him incapable of it for the future. He was then not much leſs than ſeventy years old: he was become exceſſively groſs and heavy: it was not long ſince he had been forced by the infirmities

A. R. 664. Ant. C. 88. mities of age to renounce a neighbouring war, of which he could not ſupport the fatigues. And now he ardently deſired to croſs the ſeas, and carry the war to the extremities of Aſia. To remove the idea himſelf had given of his decay, he went every day to the field of Mars to exerciſe amongſt the youth, and affected to ſhew, that he had ſtill both agility to handle arms, and vigour to keep a good ſeat on horſeback. Some applauded him: but * the moſt ſenſible pitied the blindneſs of a man, who from poor being become rich, and from a mean and obſcure birth having raiſed himſelf to the higheſt greatneſs, did not know how to ſet bounds to his fortune, nor enjoy his reputation and opulence in quiet; but, as if he had wanted every thing, was anxious to tranſport, from the arms of glory and triumphs, a cold and heavy old age into Cappadocia, and beyond the Euxine ſea, to make war with the Satrapæ of Mithridates. He endeavoured to hide this eager deſire under a ſpecious pretext, by giving out, that he propoſed to inſtruct his ſon in perſon in the art of war. But no body was deceived by that plauſible diſcourſe: the motive that actuated him was known, and every body openly referred him to his country-houſe and the coaſt of Bajæ, to drink the hot waters, and cure his defluxions. He really had a moſt delightful country-houſe at Miſenum near Bajæ, adorned in a luxurious taſte, that ill ſuited a ſoldier roughly educated, and whoſe whole life had paſſed in the fatigues and labours of war.

The advice given Marius was good: but he was far from being inclined to follow it. On the contrary, reſolving to purſue his point with vigour, he drew P. Sulpicius into his intereſts, whoſe good conduct hitherto, ſuſtained by his ſublime talents, had acquired

* Τοῖς δὲ βελτίστοις ὀρθῶς ἐκπλήξειν ἐπῆρε τὴν πλεονεξίαν καὶ τὸν φιλοδοξίαν, ὅτι πλουσιώτατος ἐκ πενίας καὶ μέγιστος ἐκ μικρᾶς γενόμενος ὅρον οὐκ εἶδεν εὐτυχίας, εἰ θαυμαζόμενος ἀγαπᾷ καὶ ἀπολαύων ἐν ἡσυχίᾳ τῶν παρόντων, ἀλλ' ὥσπερ ἐνδεὴς ἁπάντων, εἰς Καππαδοκίαν καὶ τὸν Εὔξεινον Πόντον ἄρας ἐκ θριαμβων καὶ δάφνης ἐκφέρει τιθῶνον γῆρας, τοῖς Μιθριδάτου σατράπαις διαμαχούμενον. Plut. in Mar.

him

him univerſal eſteem; and who, on a ſudden, as if * he had grown weary of being happy with virtue, precipitated himſelf into the greateſt misfortunes, by making himſelf the moſt furious Tribune of the People, that had ever been in that office. A. R. 664. Ant. C. 88.

P. Sulpicius was a man, ſays Plutarch, that never had an equal for exceſs of wickedneſs: ſo that it was not to be enquired whether he ſurpaſſed others in every kind of vice, but in what kind of vices he exceeded himſelf. In him were united cruelty, impudence, and inſatiable avarice, without remorſe, ſhame, or the leaſt regard to appearances. He publickly ſold the freedom of Rome to freedmen and ſtrangers, and kept a bank openly in the Forum for ſo infamous a traffick. He had under him, or to uſe the expreſſion in his pay, three thouſand men that bore arms; and beſides, never appeared in publick but attended by ſix hundred young Roman Knights, ready to perpetrate any thing, whom he called the Anti-Senate. It is eaſy to judge what enormous expences this muſt have coſt him. Accordingly, though he himſelf had paſſed a law that prohibited any Senator to owe more than two thouſand drachmas †, he was found at his death to be three ‡ millions in debt. In a word, to paint him at once, we have only to call to mind what kind of man Saturninus had been. Sulpicius made him his Hero, except that he judged him too timid and circumſpect. Such was the Tribune that Marius called in to his aid.

The command of the war againſt Mithridates had been conferred on Sylla by the Senate, with orders to ſet out as ſoon as he ſhould have cleared Campania of ſome troops of Samnites, that continued in poſſeſſion of Nola, and its neighbourhood. He had already joined his army, and was ſucceſsfully employed in purſuing that remainder of rebels. Marius and Sul-

* Quaſi pigeret eum virtutum ſuarum, & bene conſulta ei malè cederent, ſubitò pravus & præceps. VELL. II. 18.

† About 90 l.

‡ About 75000 l. ſterling.

picius

A. R. 664. Ant. C. 88.

picius believed his abſence a favourable occaſion for depriving him by the People of the employment, which the Senate had given him. But it was neceſſary to begin by conciliating the favour of the multitude. Accordingly, without ſhewing immediately what they aimed at, Sulpicius propoſed a law, that, if it paſſed, would render him abſolutely maſter in the Aſſemblies of the People. The deſign of it was to diſtribute the new citizens into all the Tribes. This law ſet the whole city in a flame. The old citizens, with Q. Pompeius at their head, oppoſed an inſtitution that deprived them of all power and authority to the utmoſt. Sulpicius was not of a character to recede. He had lived till now in great union with Pompeius. But on this occaſion that friendſhip changed into extreme enmity: things were ſoon carried to the utmoſt violences; and Sylla was obliged to return to Rome to ſupport his collegue, who found himſelf under the moſt perplexing difficulties.

The two Conſuls having joined, conferred together, and conceived that they had found an aſſured expedient for eluding the fury of the Tribune without noiſe or effort. They publiſhed a decree, to prohibit all Aſſemblies of the People and public deliberations, for ſeveral days; in a word, to introduce a general ceſſation of buſineſs, as was the cuſtom on feſtival days: theſe are Appian's words. Their view was to gain time, and to proceed calmly in compoſing the affair.

But Sulpicius did not give them leiſure for that: whilſt they were * haranguing the multitude before the temple of Caſtor, the Tribune appeared with his guard armed with daggers under their robes, and with orders to ſpare nobody, not even the Conſuls. He attacked their decree as unjuſt, and inſiſted upon its being immediately revoked. On the oppoſition of the Conſuls, a

* It was allowed to harangue the People on feſtival days, though they were not permitted to proceed to their ſuffrages.

dreadful

dreadful tumult aroſe: the followers of Sulpicius drew their daggers: many of the citizens were killed upon the ſpot, and amongſt others, the Conſul Pompeius's ſon, who was at the ſame time Sylla's ſon-in-law. The Conſuls, in ſo great a danger, endeavoured to fly: and Q. Pompeius in effect found means to eſcape. As for Sylla, it is certain that he entered Marius's houſe. But the friends of the latter ſay, that he entered it of himſelf as an aſylum to take refuge there, and that Marius had the generoſity to cauſe him to be conducted out through a back-door. Sylla related the fact quite differently in his Memoirs. He affirmed, that Sulpicius having cauſed him to be ſurrounded by his people, with naked ſwords in their hands, he had in that manner conducted him to Marius's houſe: and that after ſuch a deliberation as could be held in the like circumſtances, he had been compelled to return to the Forum, to annul his decree, and thereby leave the Tribune at liberty to make the People deliberate upon the law he propoſed. However it were, in reſpect to theſe different accounts, of which the firſt ſeems the moſt probable, Sylla immediately quitted Rome, and went to put himſelf at the head of his army, which he had left in Campania. A. R. 664. Ant. C. 88.

Sulpicius continuing maſter of the field of battle, cauſed his law to paſs: and immediately unveiling the ſecret motive of his whole conduct, he propoſed to the People to give Marius the command of the war againſt Mithridates. The thing met with no difficulty; and even the troops actually under Sylla's command were given to him; ſo that Marius inſtantly diſpatched two legionary Tribunes to take poſſeſſion of the command of that army in his name.

But Sylla was not ſo docile as his rival imagined: and reſolved to defend his right with force. This plan carried him a great way. The deliberation of the People annulled his title, which was the decree of the Senate. He could not retain the command whilſt that deliberation ſhould ſubſiſt. His adverſaries, who were

A. R. 664. Ant. C. 88. were the authors of it, ruled all things in Rome. Nothing leſs therefore was the queſtion, than to march againſt Rome with his army. The conſequences did not terrify him; and indeed the unjuſt and violent conduct of the oppoſite faction ſupplied him with plauſible pretexts for aſſuring himſelf, that he was going not ſo much to attack his country, as to deliver it from oppreſſion. But he apprehended that his ſoldiers would be ſtartled at ſo new and unheard-of a deſign, which at firſt ſight muſt naturally inſpire them with horror. He therefore aſſembled them, and began by giving them an account of the violence done him at Rome, and the injuſtice now intended to be added, by depriving him of a command conferred by the Senate, and to which he had a right as Conſul. He afterwards intereſted themſelves in his cauſe, by inſinuating, that if Marius was charged with this war, they had reaſon to fear he would prefer other troops to them, and thereby deprive them of the occaſion of enriching themſelves with the ſpoils of Aſia.

This diſcourſe was received with applauſe. However, Sylla was afraid to expreſs the deſign he had formed in clear terms, and contented himſelf with recommending to them, to hold themſelves in readineſs to execute the orders which it ſhould be neceſſary to give them in the preſent ſituation of affairs. The ſoldiers perfectly comprehended his meaning, and cried out, that he ſhould lead them directly to Rome, and they would cauſe juſtice to be done him. This was what Sylla expected: the thing was reſolved and executed that moment; and then, for the firſt time, a Roman Conſul was ſeen marching againſt Rome with an army. Marius's Tribunes having preſented themſelves, were ſtoned to death. However, all the General officers that ſerved under Sylla, abandoned him to a man, out of reſpect for the name of their country, and not being able to reſolve to turn its own arms againſt it. Only his Quæſtor continued with him.

Marius and Sulpicius having received advice of the death of the two Tribunes, uſed reprizals upon Sylla's friends

friends at Rome. Thus both ſides croſſed each other; and whilſt ſome quitted Sylla's camp to return to the city, others fled from the city to ſeek refuge in it. A. R. 664. Ant. C. 88.

But theſe reprizals did not advance Marius's affairs, who was in a cruel perplexity. Sylla advanced at the head of ſix legions, amounting to thirty thouſand foot, and ſix thouſand horſe. He was alſo ſupported by his Collegue, who had quitted his retreat to join him, thereby uniting the whole authority of the Conſulſhip. Though Pompeius had brought with him only his name, that was no inconſiderable reinforcement: and Sylla laid ſo much ſtreſs upon this concert between them, that he aſcribed it in his Memoirs to the protection of the gods, and that ſingular good fortune which attended all his undertakings. Marius had the Senate for him, which he actually in a manner kept in captivity. For that body then made little or no reſiſtance againſt violence, and almoſt always ſubmitted to the yoke of the ſtrongeſt. Accordingly, he made the Senate ſend deputation upon deputation to Sylla; at firſt to demand what motive induced him to advance in that manner with an army againſt Rome; and afterwards to forbid him to do ſo. Sylla contented himſelf with anſwering ſuch as queſtioned him, that he was going to deliver his country from the tyrants that oppreſſed it. But the Prætors, Brutus and Servilius, who were charged with more ſevere orders, having undertaken to ſpeak with haughtineſs and a tone of authority, Sylla's ſoldiers, who perfectly knew how to ſet them at work, and concealed his game under their emotions, fell upon them, broke their faſces, put their Lictors to flight, and ſtripped themſelves of their robes (Prætextæ:) ſo that the Prætors thought themſelves very happy in eſcaping with their lives; denouncing at Rome, by the ſad condition in which they appeared, the fury of the ſoldiery and the extreme danger of the city.

Marius was therefore under the neceſſity of having recourſe to prayers: and new Deputies were ſent from the

A. R. 664. Ant. C. 88. the Senate to implore Sylla to advance no farther with his troops againſt the city, and to wait till ſome method of reconciliation ſhould be found; promiſing him at the ſame time that he ſhould have reaſon to be ſatisfied. He declared, that he was diſpoſed to act as they deſired, and even in the preſence of the Deputies, ordered the proper officers to mark out a camp. But with a perfidy not excuſable even in a war with a ſtranger, the Deputies had no ſooner turned their backs, than he continued his march, and arrived before Rome at an inſtant when he was leaſt expected.

As he appeared as an enemy, he was received as ſuch by the inhabitants; and beſides the ſoldiers whom Marius and Sulpicius had been able to aſſemble in haſte, the whole multitude getting upon the houſe-tops, poured ſuch an hail of ſtones and tiles upon Sylla's troops, as prevented them from advancing. Sylla upon that made no difficulty of crying out to his people to ſet fire to the houſes; and himſelf, taking a lighted torch in his hand, ſet them the example; at the ſame time he ordered his archers to diſcharge their fire-arrows: acting, ſays Plutarch *, like a madman, who had loſt his ſenſes, and ſuffered himſelf to be abſolutely ſwayed by paſſion, as forgetting his friends, relations, and adherents, he had no thoughts but of his enemies; and employed fire, which can make no diſtinction between the innocent and the guilty.

Marius had not ſufficient forces to oppoſe an army. He made the utmoſt efforts: he called in to his aid both the citizens that were in the houſes, and even the ſlaves, to whom he promiſed liberty. But all was in vain; and only three ſlaves ſuffered themſelves to be tempted by his promiſes. He therefore retired to the Capitol: and ſeeing that he was upon the point of being forced there, he quitted the city with Sul-

* Κατ' ὀδύνα λογιζόμενον, ἀπ' ἐμπαθοῦς οὖν καὶ τοῦ θυμοῦ παραδεδωκότος τὸν τῆ ἀφροσύνῃ ἑαυτὸν ἡγεμονικαῖς, ὅσοις τοῖς ἐχθροῖς μόνον ἐώρα, φίλοις δὲ καὶ συγγενέσι καὶ πᾶσιν εἰς ὀδύνα λόγῳ δίκην ὁδὸ οἴκοθεν, καίοντι διὰ πυρός, ᾧ τῶν αἰτίων τὸ μὴ διαγνῶναι οὐκ ἦν. PLUT. in Sylla.

picius

picius and ſome others, leaving Sylla victorious. This was the firſt battle in form fought in Rome between the citizens; no longer in the manner of a tumultuous ſedition, but to the ſound of trumpets, and with enſigns flying, as between enemies. A. R. 664. Ant. C. 88.

Sylla uſed moderation with his victory. When maſter of the city, he ſaved it from being plundered: and having obſerved ſome ſoldiers who pillaged contrary to his orders, he cauſed them to be puniſhed that inſtant, and upon the ſpot. He planted guards in all the important poſts; and himſelf and his Collegue paſſed the whole night in viſiting all the quarters, to prevent the terror of ſome, and the boldneſs of others, from occaſioning any diſorder.

He did not content himſelf with having put an end to the troubles excited by Marius: he reſolved to prevent ſuch as might revive in the ſequel; and by reforming the government, to ſecure, if poſſible, the tranquillity of the Commonwealth. The plan which he followed in this reformation was, to exalt the authority of the Senate and Nobility, and to diminiſh the power of the People, whoſe temerity and caprice had long occaſioned ſuch great calamities. He therefore aſſembled the People, and after having deplored the ſad neceſſity to which the injuſtice of his enemies had reduced him, he deplored the unhappineſs of the Commonwealth, given up as a prey to perverſe men, who by flattering the multitude for their own intereſt, frequently ſeduce them to take meaſures moſt repugnant to the publick good. To remedy this inconvenience, which drew ſo many others after it, he firſt revived an ancient cuſtom, which had been aboliſhed for ſome ages, and decreed, that nothing ſhould be propoſed to the People, that had not firſt been deliberated and approved by the Senate. In the ſecond place, he made another very important change, which was, that for the future the People, inſtead of voting by Tribes, ſhould vote by Centuries. The difference was great. The diviſion of the Tribes having been made according to the quarters of the city, or diſtricts

A. R. 664. Ant. C. 88. of the country inhabited by the citizens, every thing was confounded in them, the noble with the mean, the rich with the poor: and as the number of the latter is always the greateſt, the mean people bore the ſway in the Tribes. On the contrary, the diſtribution by Centuries had the difference of the riches each perſon poſſeſſed for its foundation: and that diſtribution had been managed in ſuch a manner, that the rich alone formed a majority of Centuries, and conſequently had more voices than the whole multitude of the poor.

The changes introduced by Sylla already very much leſſened the authority of the Tribunes. He made ſtill further breaches in it, which Hiſtory has not circumſtantiated. But it was during his Dictatorſhip, that he gave the Tribunitian Power the greateſt blow, as we ſhall ſay in its place.

And laſtly, he cauſed to be cancelled and annulled, as contrary to the Laws, all the Decrees Sulpicius had paſſed ſince the vacation preſcribed by the Conſuls, and thereby reinſtated himſelf in full and legal poſſeſſion of the command of the war againſt Mithridates.

Val. Max. iii. 8. It now only remained for Sylla to ſatiate his revenge. He aſſembled the Senate, and propoſed to declare the two Marii, father and ſon, Sulpicius, and nine other Senators, their principal adherents, enemies to their country. Every thing trembled before the Conſul. However, Q. Scævola, the Augur, father-in-law of young Marius, ventured to oppoſe him. He at firſt refuſed to give his opinion. Then, as Sylla urged it, that venerable old man being forced to explain himſelf, did ſo with all poſſible courage and conſtancy: "Neither theſe ſoldiers," ſaid he, "with whom you have ſurrounded the Senate, nor "your menaces frighten me. Do not think that to "preſerve the feeble remains of a languiſhing life, "and of a blood frozen in my veins, I can declare "Marius an enemy to Rome, by whom I remember, "that the city of Rome, and all Italy have been pre-"ſerved."

" ſerved." Scævola's example was admired, but it found no followers. The decree of the Senate was conformable to the Conſul's propoſal, and it was, " That the two Marii, Sulpicius, P. Cethegus, Junius Brutus, the two Granii, Albinovanus, Lætorius, Rubrius, and two others expreſly mentioned, but whoſe names are not come down to us, for having excited a ſedition, made war upon the Conſuls, and called in the ſlaves to liberty, were declared enemies of the public; that in conſequence, all perſons ſhould be permitted to fall upon, kill, or bring them to the Conſuls; and that their eſtates ſhould be confiſcated." It appears, that there were alſo rewards promiſed to ſuch as ſhould bring in their heads. But it is not ſaid, that this promiſe was included in the decree of the Senate. A. R. 664. Ant. C. 88. Appian.

To execute this bloody reſolution, Sylla diſpatched ſoldiers in purſuit of thoſe he had juſt cauſed to be condemned. Sulpicius ſoon fell into their hands, having been diſcovered by one of his ſlaves. The head of that unfortunate Tribune was brought to Rome, and ſet up on the Tribunal of Harangues; a ſad preſage, ſays Velleius, of the proſcription that followed ſoon after. For the reſt, Sylla on this occaſion did an act of juſtice. As in the decree he publiſhed to notify the reſolution of the Senate, he had promiſed liberty to ſuch ſlaves as ſhould diſcover any of the perſons nominated in it, the traitor who had delivered up Sulpicius was declared free: but immediately, with the hat, the ſymbol of liberty, and the reward of his crime, he was, by Sylla's order, thrown down the Tarpejan rock.

As to Marius, the circumſtances of his flight would ſupply matter for a very entertaining ſtory. On quitting Rome, all who accompanied him having diſperſed, he retired with his ſon to a country-houſe which he had near Lanuvium. His deſign was to gain the coaſt, and to quit Italy. But as he had no proviſions, he ſent his ſon to an eſtate of his father-in-law Scævola's, which was in the neighbourhood, in order Plut. in Mar.

A. R. 664. Ant. C. 88. that he might get there all that was neceſſary for the voyage. Whilſt young Marius was making his preparations, the night paſſed; and it being light, horſemen were perceived afar off, who ſuſpecting an houſe ſo nearly allied to Marius, were advancing thither to ſearch it. But Scævola's farmer or ſteward, as faithful as his maſter was generous, hid the fugitive in a waggon full of beans; and driving it towards Rome, paſſed through thoſe who were ſeeking Marius, and ſuffered him to go on without the leaſt ſuſpicion of the fact. In this manner young Marius entered the city, and the very houſe of his wife, where having provided himſelf with every thing he wanted, he happily quitted Rome; and with regard only to himſelf, got to the ſea, embarked, and arrived in Africa.

His father was not ſo fortunate. From his firſt place of retreat, where he could not remain long undiſcovered, he went to Oſtia; and there finding a veſſel, which one of his friends had provided, he went on board with Granius his ſon-in-law. This bark ſeems to have been a very ſmall one, and perhaps was a kind of packet-boat *, with which Marius coaſted along the ſhore, having at firſt a fair wind. But the wind ſoon freſhening, the ſea became tempeſtuous; and the mariners finding it difficult to work the veſſel, and apprehending it could not reſiſt the ſtorm, reſolved to land. Marius forbade it, becauſe they were near Terracina, where he had a powerful enemy, called Geminius. In a word, the bad weather not ceaſing, and Marius beſides being violently ſea-ſick, which is common with thoſe not much accuſtomed to that element, he was obliged to give way to neceſſity, and was landed with all his company.

They did not know what to do, nor whither to turn themſelves. Every thing was againſt them: the land, where they apprehended being ſurprized by the enemy; the ſea, becauſe it continued ſtormy. To

* Plutarch calls it ἀκροθώριον.

meet

meet any body was matter of dread; and not to do ſo, was to want an abſolute neceſſary aid; for their proviſions were exhauſted, and they began to ſuffer from hunger. In this diſtreſs, they perceived ſome ſhepherds, to whom they went to aſk ſome relief. But thoſe poor people had nothing to give them. Only knowing Marius, they adviſed him to fly as ſoon as poſſible, becauſe they had ſeen horſemen a little before in queſt of him. He therefore quitted the high road, and went into a thick wood, where he paſſed the night very indifferently, and the more ſo, as thoſe who were with him were tormented with hunger, and in conſequence much out of humour. As for him, though weak, and exhauſted with want and fatigue, he had ſtill ſpirit enough to encourage others. He exhorted the companions of his flight not to renounce his laſt remaining hope, for which he reſerved himſelf: that was a ſeventh Conſulſhip, which he pretended the Fates had certainly decreed him. And on this occaſion he related to them a fact, or a fable, better adapted than the beſt reaſons to inſpire confidence in ſuperſtitious minds. A. R. 664. Ant. C. 88.

He told them, that when he was a child, he ſaw an eagle's neſt falling, and catched it in the ſkirt of his robe; that there were young eagles in it: and that his father and mother having conſulted the Augurs upon that event, which ſeemed a prodigy to them, they were anſwered, that their ſon ſhould be the moſt illuſtrious of mankind, and ſhould poſſeſs the ſupreme authority ſeven times. However this fact may be, of which the naturaliſts conteſt the poſſibility, affirming that eagles never breed more than two young ones at a time, or three at moſt, we know what to conclude in reſpect to ſuch pretended omens, the baits of impoſtors, and amuſement of fools. But Marius had great faith in them, and it is certain, that in his flight, and greateſt extremities, he often ſpoke of the ſeventh Conſulſhip, to which he was deſtined by the gods. Plin. l. 7.

A. R. 664. Ant. C. 88. Whilſt he wandered with his troop of fugitives upon the ſea-ſide, not being far from Minturnæ, a place ſituated at the mouth of the Liris *, they perceived a troop of horſemen coming towards them. At the ſame time, caſting their eyes towards the ſea, they ſaw two merchant-ſhips, their only reſource in ſo extreme a danger. Every one made the beſt of their way towards the ſea, threw themſelves into it, and endeavoured to gain the two veſſels by ſwimming. Granius, with ſome others, got to one of thoſe ſhips, and in it to the iſle of Ænaria †. Marius was old and heavy: and it was not without great difficulty, that two ſlaves kept him above water to the other veſſel, into which he was received. In the mean time, the horſemen arrived on the ſhore, and called out to the mariners, either to land Marius, or throw him overboard, and go on where they pleaſed. Marius weeping, implored the pity of the maſters of the ſhip, who, after ſome deliberation, much perplexed and uncertain how to act, at length moved by the tears of ſo illuſtrious a ſuppliant, anſwered the horſemen, that they would not deliver up Marius; upon which they retired in a great rage.

Marius believed himſelf out of danger. He did not know, that he was deſtined to ſuffer more cruel difficulties than he had hitherto experienced, and to have a nearer view of death. Accordingly the generoſity of thoſe who had given him an aſylum in their ſhip, was not of long duration: they were ſeized with fear, and having approached the land, caſt anchor at the mouth of the Liris. They then propoſed landing to him, in order to take a ſhort repoſe after ſuch long fatigues. Marius, who diſtruſted nothing, conſented to it. He was carried aſhore to a place where there was graſs. But whilſt he continued there at eaſe, without any thoughts of impending misfortune, he ſaw the ſhip weigh anchor on a ſudden, and ſet ſail. Thoſe merchants, like the generality of

* Garigliano. † Iſchia.

mankind,

mankind, were neither wicked enough to do ill, nor good enough to do well at the hazard of danger. They had been aſhamed to deliver up Marius, but they did not believe it ſafe to preſerve him. A. R. 664. Ant. C. 88.

In what a deplorable ſtate was Marius, when he ſaw himſelf upon the ſhore alone, without aid, without defence, and abandoned by all the world? He however did not abandon himſelf; he got up; and as the Liris, which in that place overflows the lands, forms marſhes, with incredible fatigue he croſſed ditches full of water, and muddy grounds, and at length came to a poor wood-cleaver's cottage. He threw himſelf at his feet, and conjured him to ſave a man, who, if he eſcaped danger, would reward him beyond his hopes. The peaſant, whether he knew him, or was ſtruck with the loftineſs and majeſty of his appearance, which his misfortunes had not effaced, anſwered, that if he only wanted reſt, he might find it in his cottage; but if he fled from enemies, he would ſhew him a ſafer retreat. Marius having accepted the laſt offer, the man conducted him to a hollow place near a marſh, where he covered him with leaves, reeds, and ruſhes.

May I be allowed here to deſire the reader to conſider Marius attentively in the deplorable ſtate we ſee him at this moment? What might then be his thoughts? How much ought he to have abhorred a fatal ambition, that from the height of greatneſs and glory, had plunged him into an abyſs of miſery, below the condition of the meaneſt of mankind? And what a leſſon is this to thoſe, who are never contented with their condition, and who imagine they want all things, when a ſingle object is wanting to their inſatiable avidity!

Marius had not leiſure to entertain himſelf long with ſuch ſad reflexions. For he ſoon heard a great noiſe on the ſide next the cottage. It was made by horſemen ſent by Geminius of Terracina, his enemy, who having met the woodman, queſtioned, preſſed, and menaced him for concealing an enemy of the

A. R. 664. Ant. C. 88. publick, condemned to die by the Roman Senate. Marius had no reſource left. He quitted his retreat, undreſſed himſelf, and plunged into the black and muddy water of the marſh. That dirty aſylum could not conceal him. His purſuers ran to him, and having drawn him out of the water naked and all covered with mud, they put a cord about his neck, and dragged him immediately to Minturnæ, where they delivered him to the magiſtrates. For an order was arrived in all the cities of Italy to ſeize and kill him wherever he ſhould be found.

However, the magiſtrates of Minturnæ reſolved previouſly to deliberate, and left their priſoner in the houſe of a woman called Fannia, and who long had reaſons to owe him no good will. The thing was as follows: Fannia having been ſeparated from her huſband Titinius, demanded the reſtitution of her portion. Titinius refuſed to reſtore it upon account of her bad conduct: and that was matter of fact. The affair was carried to Rome, and brought before Marius, then Conſul for the ſixth time. He examined into the merits of the cauſe, and found that Titinius knew the character and looſe conduct of his wife before he married her, which he had however done for the ſake of her fortune. Marius in conſequence equally diſliking both, ſentenced the huſband to make reſtitution of the portion, and laid a ſmall, but diſgraceful fine upon the wife. Fannia, however, acted with generoſity in the occaſion Marius had for her aid. She ſerved him with all imaginable zeal, and even endeavoured to conſole and encourage him. He anſwered, that he had great hopes, and thoſe in effect of an omen ſo puerile and ridiculous, that it is not poſſible to read it without feeling ſhame and pity for human ſtupidity. He told her, that as he was bringing to her houſe, an aſs came out of it running, and having ſtept before him, looked on him in a manner that expreſſed gaiety, then brayed in a joyous tone, and afterwards leaping and prancing, ran by him to drink at a ſpring juſt by. Thus the gaiety of an aſs's

motions

motions encouraged a perſon who had been ſix times Conſul: and he farther inferred, as the animal on quitting him went to ſeek water, that it was by water the gods intended he ſhould be preſerved; and that he ſhould paſs the ſea to refuge himſelf from the dangers that threatened his life. Full of confidence in effect of this fine reaſoning, he deſired to repoſe, and having laid himſelf upon a bed, he cauſed the door where he was to be ſhut. A. R. 664. Ant. C. 88.

The deliberations of the Magiſtrates and Senate of Minturnæ had not been long, and they had reſolved to obey. But not a ſingle citizen could be found who would charge himſelf with that odious execution. A ſtranger, a Gaul or Cimber by birth, was ſent to kill Marius, and entered the chamber ſword in hand. The bed on which Marius lay, was placed in a very dark nook. From the midſt of that obſcurity he caſt a fierce look on the Barbarian, his eyes ſeeming to flaſh with fire, and at the ſame time cried out to him with a terrible voice: "Wretch, dare you kill C. Marius?" This was like a ſtroke of thunder to the ſoldier, who immediately fled, throwing down his ſword and crying out, "I cannot kill Marius."

This example not only aſtoniſhed, but moved the people of Minturnæ with compaſſion. They reproached themſelves with having been more barbarous than that Barbarian, and with having been guilty of cruelty and ingratitude againſt the preſerver of Italy, whom it was even ſhameful not to defend. "Let "him eſcape, ſaid they, let him eſcape, and fulfil elſe-"where his unhappy deſtiny. Alas! we have but too "much reaſon to pray the gods to forgive us the invo-"luntary fault we commit, in ſending Marius away "from our city without defence and aſſiſtance." They entered the houſe where he was in throngs, and ſurrounded and conducted him to the ſea. Every one was eager to expreſs his zeal, by carrying to the veſſel appointed for him the neceſſary proviſions. But one obſtacle retarded their march, and made them loſe time. Upon the way, between the city and the ſea,

was

A. R. 664. Ant. C. 88. was a wood conſecrated to the nymph Marica, in reſpect to which they obſerved this ſuperſtitious cuſtom, never to carry any thing out of it that had once been carried in. In conſequence, it was neceſſary to take a great compaſs, which their impatience ſupported with difficulty. At length an old man having cried out, that every way was good, and allowed by the gods for ſaving Marius, he ventured firſt to croſs the wood, and was followed by all the reſt. Every thing was ſoon ready, and Marius embarked in a very ſmall veſſel, in the midſt of the vows of the Minturnenſes, who lifted up their hands to heaven, and implored the gods to take that great man under their protection.

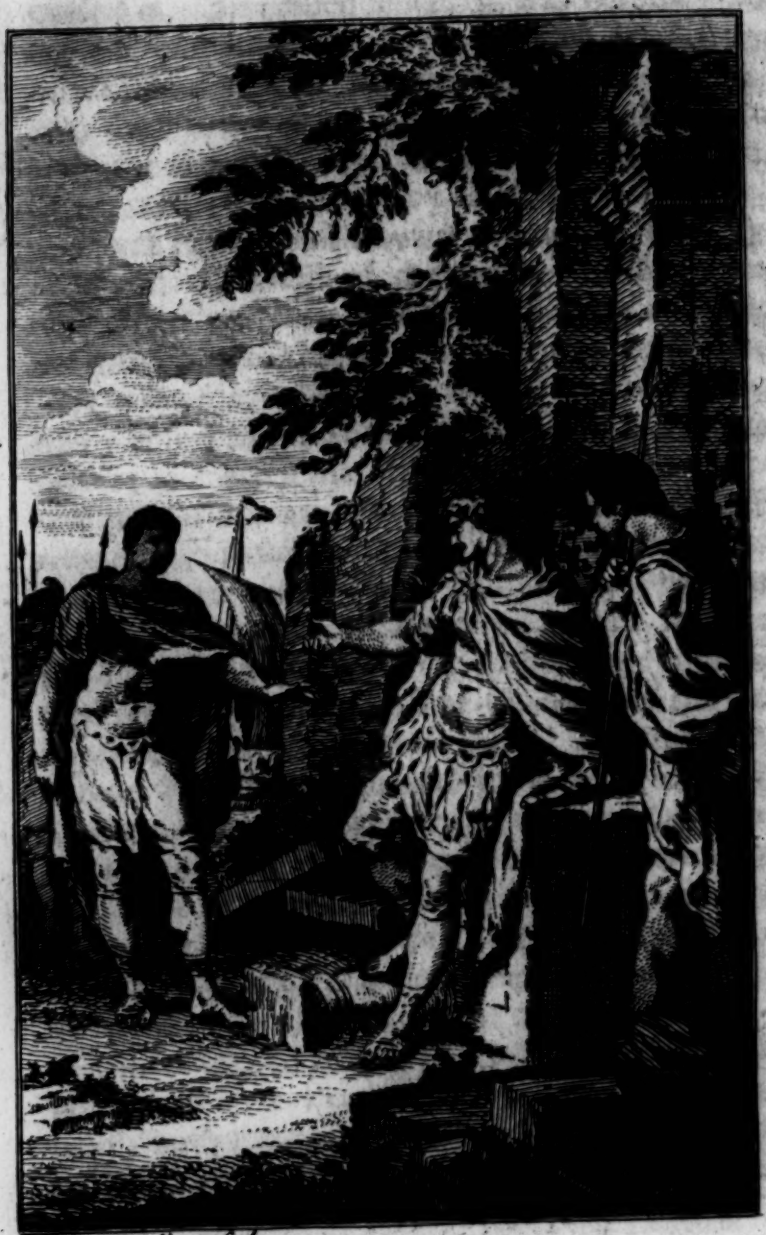
Afterwards, when he returned to Italy, he cauſed this whole adventure to be painted, and placed the picture in the temple of Marica.

From Minturnæ Marius went to the iſle of Ænaria, where he rejoined Granius. From thence they both took the route of Africa: but as they were in want of water, they were obliged to anchor in Sicily, on the ſide of Mount Eryx *. Ill-fortune purſued our fugitive every where. The Quæſtor of the province happening to be in thoſe parts, fell upon Marius's people, who landed to take in water, killed eighteen of them, and was very near taking Marius himſelf. This obliged Marius to reimbark as ſoon as poſſible, and to ſteer for the iſle of Meninx †, where for the firſt time he received news of his ſon. He heard, that having eſcaped with Cethegus, one of the twelve included in the decree of the Senate, he had retired to the court of Hiempſal, who reigned over part of Numidia: that Prince was probably one of Maſiniſſa's poſterity, and was indebted for the ſtates he poſſeſſed to Marius, who had eſtabliſhed either himſelf or his father in them, after the defeat and taking of Jugurtha. This gave young Marius reaſon to hope, that he ſhould find an aſſured aſylum near the

* Now called Monte di San Guiliano, or di Trapani.
† Now called Iſle des Gerles, or di Zerbi.

perſon





H. Gravelot delin. et sculp.

MARIUS setting on the Ruins of CARTHAGE.

Publish'd February 5.th 1743. by T. & P. Knapton.

perſon of that Numidian: and old Marius alſo a little encouraged by the ſame thought, ventured to remove from the iſland of Meninx into the province of Carthage. A. R. 664. Ant. C. 88.

The Roman magiſtrate who commanded in that province, never had any particular concern with Marius, nor received either good or bad from him. And as the man was in a ſtate of indifference with reſpect to him, it ſeemed that humanity alone and natural compaſſion ought to move him in regard to the fate of ſo great and ſo illuſtrious a perſon. But it is but too common to deſpiſe the unfortunate. Marius had ſcarce landed, when one of the Prætor's officers came to him, and ſaid in a menacing tone, "The "Prætor Sextilius forbids you to ſet foot in his pro-"vince. If you do not comply with his orders, he "declares to you, that he is reſolved to execute the "decree of the Senate, and to treat you as an enemy "of the publick." Marius was ſeized in ſuch a manner with ſurprize, indignation, and grief, that he continued very long without ſaying any thing, with his eyes fixed on the perſon who brought him this meſſage. On the officer's preſſing him, and aſking what anſwer he ſhould carry back to the Prætor; "Go," ſaid he, "tell him who ſent you, that you "have ſeen Marius a fugitive, and ſitting upon the "ruins of Carthage." That anſwer was an excellent leſſon upon the inſtability of human things; uniting under the ſame point of view, the deſtruction of one of the moſt powerful cities of the world, and the ruined fortune of the firſt of the Romans. Marius made no haſte to execute the Prætor's order: and he was ſtill about Carthage when his ſon joined him, who had been obliged to fly from Hiempſal's dominions.

For that Prince, more ſenſible to the fear of a preſent evil, than to gratitude for a paſt benefit, was perplexed about his ſuppliant. He rendered him honours, but kept him againſt his will, and prevented him from quitting his kingdom. That conduct gave the

A. R. 664. Ant. C. 88. the Roman great diſquiet; who plainly ſaw that the King's pretexts for detaining him had nothing ſincere in them, and betokened no good to him. To extricate himſelf, he took advantage of an occaſion that offered, without his having conceived any thoughts of cultivating it. He was young and well made. The danger that threatened him moved one of the King's miſtreſſes with compaſſion: and ſoon, as the tranſition is very eaſy, ſhe proceeded from pity to love. Marius at firſt rejected her with diſdain. But when, on the one ſide, he perceived that he had no hopes of flight but by her means, and on the other, that the ſentiments of that woman had ſomething much above a fooliſh and blind paſſion, he repoſed a confidence in her, and found the good effects of it. For by her aſſiſtance, himſelf and his friends eſcaped out of the hands of a Prince, to whom a commodious treachery would perhaps not have coſt much.

He rejoined his father, as I have ſaid, near Carthage, and it was no doubt a great joy both to the father and ſon to meet after a ſeparation attended with ſo many dangers. As they were walking along the coaſt, Marius ſaw two ſcorpions fighting. He valued himſelf upon his ſkill in the pretended art of divination. He judged this a bad omen, and concluded from it that they were threatened with ſome danger: as if common ſenſe alone, without the interpoſition of ſcorpions, did not ſuffice to inform him, that they had cauſe to fear both from the timorous policy of Sextilius, and the reſentment of Hiempſal. In conſequence, they threw themſelves into a fiſhing-boat, which carried them to the iſle of Cercina*. And they ſet out in time: for they had ſcarce got on board, when they ſaw ſome Numidian horſe appear, ſent in purſuit of young Marius by Hiempſal. This was not the leaſt danger they ſuſtained: but it was the laſt. They paſſed the remainder of the winter quietly enough in the iſlands of the African ſea,

* Cercare.

waiting

waiting ſome favourable event that might enable them to return to Italy. A. R. 664. Ant. C. 88.

Sylla in the mean time regulated every thing at Rome with abundance of moderation. He perceived, that his conduct in reſpect to Marius had diſpleaſed many of the Senators, and all the people in general. Inſtead of being enraged at it, he choſe to take pains for conciliating favour, by a very popular and very mild conduct. On holding the Aſſemblies for the election of the Magiſtrates for the enſuing year, he ſuffered both his nephew Nonius and Ser. Sulpicius, whom he ſupported with his recommendation, to undergo a repulſe. He even ſaid on that occaſion, that he was glad to ſee the people uſe the liberty he had reſtored to them. Through the ſame ſpirit of moderation, he did not prevent L. Cornelius Cinna from being elected Conſul, who was of the oppoſite faction to his, though a Patrician, and his own relation. He only took the precaution to carry him to the Capitol, and there to make him take an oath, that he would act nothing contrary to his intereſts. Cinna took the oath preſcribed him in the preſence of many witneſſes, and holding a ſtone in his hand, he implored Jupiter, if he failed in his engagements, to drive him out of the city, as he threw that ſtone out of his hand. It is ſurprizing that Sylla could repoſe any confidence in the oaths of an ambitious man. He however did not ſo entirely truſt in them, as not to uſe the farther precaution of giving him Cn. Octavius for collegue, a man of worth, and a lover of peace and good order, but too mild to oppoſe one of his violent character. Sylla had ſoon reaſon to repent theſe meaſures: and if any thing can palliate the horror of the cruelties he afterwards committed, it is the bad ſucceſs of the lenity with which he acted on the preſent occaſion. Appian. Plut. in Syll.

Accordingly, as ſoon as his troops had quitted Rome, to wait for him in Campania, and whilſt he was ſtill Conſul, the partiſans of Marius began to ſtir for the recal of the exiles: and the firſt ſtep they took to effect it was, to lay ſnares for the lives of the Conſuls.

A. R. 664. Ant. C. 88. Conſuls. Sylla had leaſt to fear, having an army that might be employed for his defence, even after the expiration of his Conſulſhip. Pompeius conceived he had obtained a like ſecurity, by cauſing the command of the troops at Picenum to be given him, at the head of which then was Cn. Pompeius Strabo, in quality of Proconſul, finally to reinſtate the tranquillity of the country. But the Conſul thereby only haſtened his death.

Strabo at firſt feigned to receive him with reſpect, when he came to take upon him the command of the aamy, and retired, as being only a private perſon. But the next day a ſedition, excited by the ambitious Proconſul, delivered him from his competitor: and for the firſt time (the times we are now come to abound with crimes unheard-of before) a Roman army embrues its hands in the blood of their Conſul. Strabo having afterwards ſhewn himſelf to the ſoldiers, affected abundance of anger: but he was ſoon appeaſed: his ſudden reconciliation with the murderers diſcovered him; and all Hiſtorians aſcribe the Conſul's violent death to him, who was beſides his near relation. The Senate, which in ſuch perilous times as theſe, had leſs power than the ſoldiers, was obliged to let this crime paſs with impunity. Sylla leſs intent upon avenging his collegue's death, than providing for his own ſecurity, aſſembled his friends, and prevailed upon them to keep guard round his houſe and perſon, as long as he ſhould be obliged to continue in the city: and as ſoon as it was poſſible he quitted it, and went into Campania to put himſelf at the head of his army.

A. R. 665. Ant. C. 87.

CN. OCTAVIUS.

L. CORNELIUS CINNA.

Dio. apud Valeſ. Plut. in Sylla. Cinna was hardly in office when he ſhewed how much Sylla had been in the wrong to place any confidence in him, and to believe him capable of having any regard to his oath. He had nothing ſo much at heart

heart as to preſs him to ſet out; alledging for his reaſon the neceſſity of putting a ſtop to the progreſs of Mithridates; but in reality to rid himſelf of ſuch an inſpector, in order to be at full liberty for the execution of his own ſchemes. Sylla for the ſame reaſon was in no haſte. The Conſul, to put an end to his delays, contrived to have him accuſed by the Tribune M. Virgilius. Thoſe who were employed in the ſervice of the Commonwealth, were exempted by a law from this kind of proſecutions. Sylla accordingly leaving both the Conſul and Tribune to themſelves, put to ſea, and arrived in Greece. I ſhall give an account of his exploits againſt Mithridates in the ſequel. A. R. 665. Ant. C. 87.

Cinna no ſooner ſaw himſelf diſengaged from the ſole obſtacle that checked him, than he began to labour the recal of Marius. His turbulent and reſtleſs ſpirit could not endure repoſe and tranquillity. Beſides which, a frantick ambition made him deſirous of rendering himſelf maſter of the Commonwealth. And laſtly, with theſe motives united three hundred talents *, which were given him by the partiſans of Marius. It is from Appian we have this laſt fact, who a little before had obſerved, that very rich perſons, of both ſexes, intereſted themſelves for that illuſtrious fugitive.

Cinna then took his cauſe in hand, and ſeemed at the ſame time to aſſume his ſpirit. For he took care to diſguiſe his aim, and to proceed to his end by indirect means. He did not manifeſt at firſt his deſign to reinſtate the exiles; but he undertook to revive the law paſſed by the Tribune Sulpicius, for introducing the new citizens into the old Tribes, in all its force. Upon this ſignal an infinite multitude of thoſe new citizens flew to the city; and Rome again became the ſcene of a furious diviſion; the old citizens oppoſing with no leſs vigour than they ſaw themſelves attacked. Each of the parties had a Conſul at its head; and Appian.

* Three hundred thouſand crowns.

both

A. R. 665. Ant. C. 87. both took up arms. Cinna, as he was the moſt audacious, employed them firſt.

The majority of the Tribunes of the People oppoſed the Law. There was no going farther without recourſe to violence. Accordingly that moment ſwords were ſeen glittering, and a multitude of the ſeditious with Cinna, at the head of them, fell upon the oppoſing magiſtrates, to drive them from the Tribunal. Octavius then, round whom the old citizens, and all that were for the publick tranquillity, had ranged themſelves in arms, entered the Forum, attacked the factious, divided them into two bodies, and diſperſed them: then, out of reſpect for the conſular dignity in Cinna, and not inclining to come to blows with his Collegue, he turned towards the temple of Caſtor. But thoſe who accompanied him, did not imitate his timorous circumſpection. They puſhed their advantage, killed a great number of the adverſaries, and drove the others fighting to the gates of the city. Cinna, who was ſuperior in number, amazed to ſee himſelf overcome, had recourſe to the laſt refuge of the deſperate. He called in the ſlaves to his aid upon the promiſe of liberty. But that was ineffectual: no body joined him, and he was obliged to abandon the city, and retire into Campania. The battle had been very bloody. Cicero affirms, that the Forum ſwam with the blood of the citizens, and was quite filled with heaps of dead bodies: and Plutarch makes the number of thoſe only, who periſhed on Cinna's ſide, amount to ten thouſand.

Cic. in Catil. III. 14. & pro Sext. 77.

Plut. in Sertor.

He carried away ſome Senators with him, of whom Sertorius was undoubtedly the moſt illuſtrious. Unhappy circumſtances for that great man had thrown him into this party. His birth itſelf ſeemed to incline him to it: and as a new man, in a diviſion between the Nobility and the People, it was natural for him to attach himſelf to the Plebeian faction. Beſides which, we have obſerved, that he had ſerved under Marius in the war with the Cimbri, and had received from him many proofs of his eſteem; and

that was a farther engagement. But what finally determined him was, that having ſtood for the Tribuneſhip, Sylla had cauſed him to be excluded. Freinſhemius conjectures, with great appearance of reaſon, that beſides the ties between Sertorius and Marius, Sylla, who was for depreſſing the Tribunitian power, conceived it contrary to his views to ſuffer that office to be conferred on a man of bravery, and one who in his youth had acquired great reputation for the talent of ſpeaking. It was this combination of circumſtances that drew Sertorius into the unfortunate party, and in conſequence, made his whole life a ſeries of diſgraces. His misfortunes did not in the leaſt diminiſh his glory. But had it not been for that unfortunate engagement, he had talents, greatneſs of mind, and military abilities, capable of making him the firſt perſon of the Commonwealth: whereas he was obliged during his whole life to employ ſo many virtues againſt his country, and at laſt to periſh miſerably by the treachery of his friends. A great leſſon, that ought to make perſons very cautious in their firſt ſteps, which are often taken inconſiderately enough in youth, and afterwards give the biaſs to the whole ſeries of life. A.R. 665. Ant. C. 87.

The Senate proceeded juridically againſt Cinna, and declared the office of Conſul, which he occupied, void as well by deſertion, as for the crime of having called in the ſlaves to liberty; an * affront Cinna well deſerved; but a precedent that might have very pernicious effects. They ſubſtituted to him L. Cornelius Merula, who was the Prieſt of Jupiter, *Flamen Dialis*.

Cinna, driven in this manner to extremities, had no reſource but in the ſoldiery. As the peace of Italy was not entirely re-eſtabliſhed, and the Samnites continued ſtill in arms, the Romans alſo had different armies on ſeveral ſides, and one actually in Campania, under the command of Ap. Claudius. Cinna having gained

* Hæc injuria homine quàm exemplo dignior fuit. VELL. II. 20.

A. R. 665. Ant. C. 87. the principal officers of that army, entered the camp; and the ſoldiers having aſſembled around him, he diſmiſſed his Lictors, as being only now a private perſon. At the ſame time, ſhedding tears in abundance, he addreſſed himſelf thus to the multitude: "Dear "Fellow-citizens, I received from you the firſt dig- "nity of the Commonwealth, and the Senate have de- "prived me of it without your conſent. It is not "however my private diſgraces that affect me moſt. "I lament your violated rights, your annihilated "power. For who from henceforth will give them- "ſelves the trouble to ſollicit the ſuffrages of the "Tribes? Who will take pains to conciliate your "favour? And how can you be conſidered as arbi- "ters of elections, as diſpenſers of employments and "dignities, if you cannot ſecure the enjoyment of "your gifts to thoſe you have inveſted with them, "and if your creatures are liable to be deprived "without your participation of what you alone have "conferred." He added many other things to the ſame effect, concluding his diſcourſe with deſcending from the Tribunal, tearing his robes, and throwing himſelf at the feet of the ſoldiers. All of them, moved with ſuch a ſight, raiſed him up, made him reaſcend the Tribunal, deſired him to recal his Lictors, and proteſted that they would perſiſt in acknowledging him for Conſul. At the ſame time, the Officers, whom he had gained, advanced, and firſt took the oath to him as to their General, and then made the troops under their reſpective commands do the ſame.

This ſufficed for putting Cinna into a condition to fear nothing. But he was beſides for making himſelf formidable to his adverſaries, and for reſuming the authority of the government over them, of which they had taken poſſeſſion. Accordingly, to augment his party, he made a tour to all the cities of Italy, repreſenting to the new citizens, that it was their quarrel he had ſuſtained, and that he had been the victim of his zeal for their intereſts. He was without doubt heard favourably: he found both men and money in

abundance: and he had at his command three hundred cohorts, or thirty legions, formed out of the different ſtates of Italy: a formidable power, which it is not to be believed that he aſſembled in one body of an army, but which may give us an idea of the greatneſs of his ſtrength, and what reaſons thoſe had to tremble who had driven him out of Rome. A. R. 665. Ant. C. 87. Vell. II. 20.

Octavius and Merula in effect thought proper to fortify the city, and to put it into a ſtate of defence. At the ſame time, as they had few troops about them, they wrote on all ſides to call in the armies that ſtill acknowledged the authority of the Senate, to the aſſiſtance of their country. But the Generals of two of the ſtrongeſt bodies of troops, from which they could hope aſſiſtance, both failed them from different reaſons. Metellus Pius, who was full of good will, was too far off, and ſufficiently employed by the Samnites. Pompeius Strabo, who might have been at hand to aid the Conſuls effectually, obſerved a dubious conduct, and gave Cinna time to ſtrengthen himſelf; with the view of making himſelf neceſſary, and diſcontented from not having obtained a ſecond Conſulſhip as he deſired. Liv. Epiſt. Vell. II. 21.

Marius in the mean time, who till then had continued in Africa, took the advantage of a conjuncture ſo much in his favour. He repaſſed the ſea, and landed at a port in Tuſcany with about a thouſand men, partly Mooriſh horſe, and partly Italian adventurers, whom his name, and misfortunes like his own, had induced to follow him. He wore in his aſpect and his whole perſon an air of dejection that ſuited his condition. And the compaſſion that the ſight of him inſpired, joined with his great reputation, ſoon enabled him to aſſemble ſix thouſand men; and the more eaſily, as he refuſed none that offered themſelves, even to the ſlaves to whom he gave liberty. He then ſent to offer Cinna his ſervice; and the latter, who had affected to have no intelligence with him, though in reality they were agreed in every Appian. Plut. in Mar. & Syll. & Sertor.

A. R. 665. Ant. C. 87. thing, aſſembled the council of war to deliberate upon Marius's propoſal.

Nobody heſitated upon accepting his offers. Only Sertorius was of a contrary opinion, whether he apprehended being eclipſed by the glory of ſo great a warrior, or, all benevolent as he was, he dreaded the terrible exceſſes, to which revenge might carry a man naturally cruel, and exaſperated by misfortunes. He repreſented, that as their enterprize was ſo far advanced as in a manner to aſſure them of overcoming, they had no occaſion for Marius, and that, however, if he joined them, he would engroſs the whole glory of the ſucceſs to himſelf. That beſides, his jealous and umbrageous character was known, which, it was more than poſſible, would make thoſe repent their favour who ſhould ſhare authority with him. The oppoſition of Sertorius compelled Cinna to diſcover himſelf. He owned that the reaſons he alledged were of weight; but he added, that he was aſhamed to refuſe Marius, after having called him in himſelf. "Why did not you ſay ſo at firſt?" reſumed Sertorius. "If you invited him, the affair is at an end; "we have no occaſion to deliberate." Marius was accordingly received: and Cinna declared him Proconſul, and was for giving him the Faſces and Lictors. But he refuſed them; ſaying that ſuch honours did not become the fortune of an exile. And in order to render himſelf an object of pity, he aſſumed an afflicted aſpect and dejected manners, through which however it was eaſy to diſcern an height of courage irritated, but not depreſſed, by the calamities he had ſuffered.

It was reſolved in the Council to attack Rome. Sylla had ſet the example: and Marius did not pique himſelf upon being more delicate than his enemy in the point of love for his country. Cinna and he aſſured themſelves of ſucceeding without difficulty. Beſides their great ſtrength, the cold and ſlow circumſpection of Octavius gave them a great ſuperiority.

It is the fate of worthy perſons to be almoſt always attacked with advantage; becauſe probity denies them many reſources, which their adverſaries make no ſcruple to employ. Octavius wanted neither fortitude nor abſility. But he rigidly adhered to the obſervation of the Laws; and when ſomebody adviſed him to arm the ſlaves, and engage them by the hope of liberty in the defence of the city, he replied, "That he would not violate the Laws by giving ſlaves the * Rights of Roman citizens, whilſt, out of reſpect for them, he deprived Marius of thoſe Rights." A. R. 665. Ant. C. 87.

The contrary party had a quite different way of thinking: they ſpared no means for ſtrengthening themſelves; and Cinna beſieged Rome with four armies, which were poſted, one, with Marius at its head, below the city on the ſide next the ſea; another, commanded by Sertorius, above it: Cinna himſelf, and Carbo, who will ſoon have a great part hereafter in all theſe troubles, took up their quarters between thoſe of Marius and Sertorius. Their firſt deſign was to reduce the city by famine; which it was eaſy to effect, as they were maſters of the river. Their parties ſcoured the country. They had light ſhips, which cruized upon the coaſts: and in that manner they prevented any proviſions from being brought in to the beſieged. Marius by intelligence even ſurprized Oſtia at the mouth of the Tiber, and gave up that unfortunate place to be plundered at the diſcretion of the troops.

I now proceed to the ſlow movements of Pompeius Strabo, in favour of the Conſuls and Senate. By a treacherous connivance, as I have ſaid before, he had given Cinna time to acquire formidable forces, and did not come to the aid of his country till it was reduced to extremities. And, if we may believe Oroſius, before he declared on the ſide of the Senate, he had offered himſelf to Cinna and Marius, and had

* Slaves made free by the Romans, became Roman citizens themſelves.

A. R. 665. Ant. C. 87. Tac. Hiſt. iii. 51. Liv. Epiſt. Oroſ. v. 19.

been rejected. He fought a battle at the gates of Rome, which was not deciſive, and of which all that we know worthy of notice is, that two brothers, who happened to ſerve in the oppoſite armies, meeting during the heat of the battle, engaged without knowing each other. He who was on Pompey's ſide having killed the other, knew him when he was taking his ſpoils. His grief roſe to deſpair; and after the action, having erected a funeral pile, upon which he placed the dead body, he got upon it himſelf, fell upon the ſame ſword with which he had killed his brother, and having ordered the fire to be lighted, in that manner mingled his aſhes with thoſe of the deceaſed. Horrid event! which made both armies groan, whilſt they were committing crimes of almoſt as deep a dye.

The Conſuls would not have thought themſelves ſufficiently ſtrong with the reinforcement of Pompey's troops, though they could even have relied upon the zeal and fidelity of their Leader. They therefore ſought to procure other aid. Metellus Pius, who was entirely devoted to the Senate, as I have ſaid already, was actually making war againſt the Samnites. They ſent him orders to treat with that People, and to offer them the freedom of Rome. They were in hopes of acquiring thereby a double reinforcement; the army of Metellus, which as ſoon as diſengaged, would not fail of coming to the aid of Rome; and even that of the Samnites, who from enemies would become citizens. But the latter, full of hatred for the Roman name, and haughty in effect of being ſollicited, demanded ſuch advantageous conditions for themſelves, and ſo hard and diſhonourable for the Romans, that Metellus would not accept them. Marius and Cinna, who were apprized of that negotiation, gave the Samnites *Carte blanche*, and thereby brought them over to their party. Metellus did not fail to advance towards Rome, and to join the army of Octavius.

In the mean time, the city was upon the point of being taken by treaſon. One Ap. Claudius, a legionary Tribune, who had formerly received ſome ſervice from Marius, delivered up the fort of Janiculum to him, of which he had the guard. Cinna and Marius were in poſſeſſion of that poſt, which commanded the city, and was joined to it by a bridge, when Octavius and Pompeius flew thither, and repulſed the enemy. A. R. 665. Ant. C. 87.

This was the laſt ſervice Rome derived from the army of Pompeius. Soon after, a contagion ſpread in it, that deſtroyed great part of it. The unexpected death of that General, who was killed with thunder in a dreadful ſtorm, entirely diſperſed that army. Nothing is ſaid of it after that event: and it is probable, that the ſoldiers either diſperſed, or even took party amongſt Cinna's troops. I muſt not omit here the manner in which the publick expreſſed their hatred for Pompeius Strabo after his death. He had drawn it upon himſelf by his inſatiable avarice, unbounded ambition, and eſpecially the criminal indifference which he had expreſſed in reſpect to the dangers that threatened Rome. Accordingly, at the celebration of his funeral, the populace fell upon the bed of ſtate, in which he was carrying to the pile, tore him out of it, and threw his body upon the ground; and after having done it a thouſand outrages, they dragged it about the ſtreets with an hook. Pompey the Great, who was beloved by the Roman People even to adoration, was the ſon of ſo deteſted a father. Plut. in Pomp. Jul. Obſeq.

Marius ſpared no pains to deprive the beſieged of all hopes of receiving proviſions and refreſhments: with this view, he took all the places in the neighbourhood of Rome, where there were magazines, Antium, Aricia, Lanuvium, and ſome others. After which, having rejoined Cinna, Sertorius, and Carbo, he moved with them to offer the Conſul battle. Cn. Octavius had quitted Rome, and kept the field with conſiderable forces; namely, his own troops, thoſe of Metellus Pius, and a third army commanded by Appian. Plut. in Mar.

A. R. 665. Ant. C. 87. P. Craſſus, the father of him whom his riches and power afterwards rendered ſo famous. It might have been thought that the Conſul, in the ſtate things were, would undoubtedly have accepted the defiance of the enemy. Only a battle gained could ſave Rome: but at the ſame time, a battle loſt would give it up as a prey to violence, plunder, and all the horrors of war. This laſt conſideration, conformable to the mild and ſomewhat timorous diſpoſition of Octavius, checked him. He did not dare to expoſe his country to ſo great a danger, and loſt all by his averſeneſs to hazard any thing. Deſertions became frequent; and ſcarcity increaſing in Rome, began to excite the complaints and murmurs of the multitude; ſo that the Senate diſcouraged, and apprehending that the city would either be taken by force, or delivered up by treachery, ſent deputies to Cinna to treat of an accommodation.

Cinna ſtopt them ſhort, by aſking whether thoſe who ſent them acknowledged him Conſul. What is ſurprizing enough, they had no inſtructions upon that head, and returned without ſo much as opening the negociation. This weak ſtep taken by the Senate had therefore no other effect, than to augment the conſternation of thoſe in its intereſt, and to raiſe the courage of the partiſans of Marius, who were very numerous in the city. Octavius's army diminiſhed every day by deſertions; and his credit declined ſtill more. He could neither rely upon moſt of thoſe who remained in his camp, nor the ſoldiers place any confidence in an irreſolute General, very tenacious of forms, and always apprehenſive of doing too much. As to Metellus, he had abandoned the party, and ſeeing the ſuperiority Marius had attained, he firſt retired into Liguria, from whence he ſoon after went to Africa. The Senate had no other reſource left, than to tranſact with the adverſaries upon the gentleſt conditions it was poſſible to obtain. But it was neceſſary to reſtore the Conſulſhip to Cinna; and that indiſpenſible preliminary was the higheſt injuſtice to Merula,

Merula, a man of worth, venerable for the eminence of the Prieſthood he poſſeſſed, and one who undoubtedly was far from deſerving the affront of being depoſed. A. R. 665, Ant. C. 87.

That Conſul ſpared them the perplexity they were under in reſpect to him, by ſacrificing himſelf with a generoſity worthy of the greateſt praiſes. "I ſhall "be far," ſaid he, "from ſuffering my perſon and "intereſts to be an obſtacle to peace. I received the "Conſular Faſces by your authority, and to labour "for the ſafety of my country. As the good of my "country now requires that I ſhould lay them down, "it is with joy I give my fellow-citizens that teſti-"mony of my love for them, and of my zeal for ex-"tricating them out of danger." He afterwards aſcended the Tribunal of Harangues, and ſolemnly abdicated his office before the People. Upon that, new deputies were ſent to Cinna, with orders to acknowledge him Conſul. Diod. apud Valeſ.

Their inſtructions were very ſhort. They were charged to demand nothing of Cinna, but an oath to ſpare the lives of the citizens. He would not condeſcend to take that oath, and inſiſted upon their being contented with giving his word, that he would not voluntarily cauſe the death of any one. We ſhall ſee in what manner he kept that promiſe: but he would not have obſerved his oath more ſtrictly. He added advice to Octavius, who had re-entered the city: "Let him not venture to appear in publick," ſaid he to the Deputies, "leſt againſt my will ſome "misfortune ſhould befal him." He gave this audience ſitting on his Tribunal, with his Lictors before him, and ſurrounded with all the train of the Conſular dignity. Marius was ſtanding near the Conſul's curule chair, affecting, as he always had done ſince his return, an air of dejection, of which it was eaſy to diſcern the hypocriſy, and which ſuffered marks of profound reſentment and ſanguinary revenge to eſcape it. Appian. Plut. in Mar.

Accordingly,

A. R. 665. Ant. C. 87. Accordingly, Marius and Cinna ſeeing themſelves victors, held a great Council with the principal Chiefs of their party, to deliberate upon the manner in which they ſhould uſe their victory. We cannot doubt but Sertorius ſpoke in favour of lenity. We ſhall ſoon ſee a proof of that. But he was not maſter here; and it was concluded, that, without regard to the promiſes made the Deputies of the Senate, they ſhould put all their enemies to the ſword; in order that their faction, remaining in the ſole poſſeſſion of the government, might diſpoſe in all things with abſolute authority. To ravage the city with horrid ſlaughter, was what they called re-eſtabliſhing its peace. Thus Marius, who had imitated Sylla in attacking Rome, and forcing it in arms, was far from imitating his humanity and moderation in reſpect to the citizens: as it is uſual for ſecond examples to riſe upon the firſt in criminal exceſs.

Diod. lib. xxxviii.

Plut. in Mar. Appian. In the mean time, the Senate, who were ignorant of this cruel deliberation, did not delay ſending new Deputies to invite Cinna and Marius to enter the city. For the name of Marius was expreſsly added, becauſe it was very well known that he was the ſoul of all theſe movements, and that Cinna, properly ſpeaking, only lent him his name. Cinna accordingly made his entry, preceded by his Lictors, and ſurrounded by his guards. But Marius ſtopt at the gate, ſaying with an ironical inſolence, that exiles had no right to enter the city; and that it was neceſſary a new Law ſhould abrogate that by which he had been baniſhed. The Tribes therefore were aſſembled immediately: but three or four had ſcarce given their ſuffrages, when Marius, tired with that comedy, entered on a ſudden, and gave up Rome to all the horrors of war. All the gates of the city were ſhut, that nobody might eſcape: and under pretence of ſeeking for Marius enemies, the ſoldiers diſperſed themſelves into all quarters. In particular, a troop of ſlaves enfranchiſed by Marius, and whom he had in a manner made his guard, having received entire permiſſion from him, committed the moſt

moſt horrible exceſſes. A very great number of citizens were ſlain, women raviſhed, and houſes plundered. To be rich, was to be an enemy of Marius. In a word, Rome was treated like a city taken by ſtorm. A. R. 665. Ant. C. 87.

The Conſul Octavius was not a witneſs of theſe calamities: for he was killed even before the victors entered the city. He had retired to the fort Janiculum, with a ſmall number of friends and ſome troops, who ſtill continued faithful to him. All that were with him exhorted him to fly. But he declared, that being Conſul, he would never abandon Rome. I do not know whether he relied upon the oaths of Marius and Cinna, who had cauſed him to be aſſured that no hurt ſhould be done to him. But it is certain, that he placed great confidence in the predictions of Aſtrologers, who had always promiſed him good ſucceſs. For that magiſtrate, the moſt moderate and equitable of the Romans, beſides being a man firm to the maxims of his anceſtors, and who always ſuſtained with haughtineſs the rights of the Conſular dignity, without degrading it by unworthy compliances, that very man had a ridiculous weakneſs for Aſtrology and Divination; and what much contributed to his ruin, was paſſing more of his time with impoſtors and Soothſayers, than with the beſt heads of the Senate and army.

Marius and Cinna had only given him good words to prevent him from thinking of flight; and they diſpatched an officer, named Cenſorinus, with a body of horſe to kill him on the Janiculum. Cenſorinus found him ſitting in his curule chair, with the enſigns of the Conſulſhip, and his Lictors before him, as if it had been a time of perfect peace. As ſoon as his friends perceived the horſe, they preſſed him again to fly. But he did not vouchſafe ſo much as to riſe, and in that manner received death with a conſtancy, of which the glory is however diminiſhed by an anſwer of an Aſtrologer found about him after his death. His head was carried to Cinna, and afterwards

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A. R. 665. Ant. C. 87. ſet up upon the Tribunal of Harangues, no doubt to revenge the like treatment that had been done by Sylla to the Tribune Sulpicius. The victors continued to make the ſame kind of trophies of all the other cruelties they committed, and not a Senator was murdered by their order, but his head was ſet up on the ſame Tribunal; inſomuch that a place of ſuch reſpect became a kind of place of execution, and even ſomething more horrid, as the bleeding heads exhibited there, were not thoſe of vile wretches executed for their crimes, but of all that were moſt illuſtrious at Rome by their dignities, talents, and virtues.

Of this number were the two brothers L. and C. Cæſar, the firſt of whom had been Conſul and Cenſor, and the ſecond was the perſon who had diſputed the Conſulſhip with Sylla. There was even ſomething unuſually atrocious in the death of Lucius: Marius *, out of a mean barbarity, cauſed him to be tormented in the moſt cruel manner before the tomb of the wretched Tribune Q. Varius, who had occaſioned ſo many evils to the State. Nothing was wanting, ſays Valerius Maximus, to the misfortunes and ſhame of the Commonwealth, but to ſacrifice Cæſar to the manes of Varius. C. Cæſar was diſcovered, and delivered up by the perſon in whoſe houſe he had ſought an aſylum, and for whoſe defence he had formerly employed his eloquence with ſucceſs in a criminal affair. Such was the gratitude of that villain to his benefactor. Many other illuſtrious perſons alſo periſhed miſerably. I ſhall only mention the moſt conſiderable, and thoſe of whoſe deaths we have ſome particulars.

Liv. Epit. Plut. in Craſſo. P. Craſſus, after ſeeing his eldeſt ſon killed before his face, thruſt himſelf through with his ſword, to avoid being expoſed to inſults unworthy of his courage

* Marius iram ſuam nefariè diſtrinxit. L. Cæſaris Conſularis & Cenſorii nobiliſſimum corpus ignobili ſævitiâ trucidando: & quidem apud ſeditioſiſſimi & abjectiſſimi hominis buſtum. Id enim malorum miſerrimæ tunc Reipublicæ deerat, ut Vario Cæſar piaculum cederet. VAL. MAX. ix. 2.

and

and virtue. His ſecond ſon eſcaped, and afterwards became the richeſt, and one of the moſt powerful of the Romans. A. R. 665. Ant. C. 87.

The Orator M. Antonius had found a faithful friend, but one who ruined him by too much zeal and good will. This was a poor Plebeian, who ſeeing a gueſt of that importance in his houſe, was for entertaining him well. He ſent his ſlave to the tavern with orders to buy the beſt wine. The ſeller, who ſaw the ſlave taſte the wine with more care than uſual, deſiring to ſet a very high price upon it, aſked him why his maſter was not contented with the wine he commonly drank. The ſlave, who thought he was ſpeaking to a friend, diſcovered the fatal ſecret; and the perfidious vintner ran immediately to Marius, who was then at table, to declare to him, that he had it in his power to put M. Antonius into his hands. The tranſports of joy with which Marius received that news gives horror. He cried out, clapped his hands, and was for going himſelf to the place, if he had not been ſtopt by his friends. He therefore determined to ſend the military Tribune Annius with ſoldiers, ordering him to bring him the head of M. Antonius that inſtant. Annius went, and ſtaying below to guard the door, made his ſoldiers go up ſtairs. But the ſight of Antonius ſoftened their cruel hearts; and the eloquent orator, in ſo preſſing a neceſſity, having employed thoſe refined inſinuations, and the pathetic, which he well knew how to adapt, ſo effectually moved them, that not a ſingle man could reſolve to lay hands upon him. The Tribune at length, who was grown impatient with waiting, went up himſelf, and ſaw his ſoldiers ſuſpended, and in a manner enchanted, holding down their heads and ſhedding tears, whilſt Antonius harangued them. As for himſelf, who was no leſs barbarous than him that ſent him, he gave no ear to the prayers of ſo venerable a ſuppliant, but cut off his head, which he immediately carried to Marius. That mournful preſent was received with a ſatisfaction equal to the impatience Plut. in Mar. Appian.

with

A. R. 665. Ant. C. 87. with which it was expected. Marius embraced the Tribune Annius all bloody as he was; he took the head of Antonius out of his hands, and was not afraid of fouling the table, which was conſidered by the ancients as ſomething ſacred, with the blood of ſo illuſtrious a citizen, and ſo great an Orator. When he had taken time to glut his eyes with ſo cruel a ſight, he returned it to be ſet up on the Tribunal of Harangues: ſo that "upon the very ſame place *, from whence Marcus Antonius, when Conſul, had defended the Commonwealth with ſo much courage, was placed that head, to which ſo many citizens were indebted for their preſervation." This Cicero ſays, who hardly thought, when he was writing it, that he was relating his own hiſtory: nor that a like fate was reſerved for himſelf, from the grandſon of him whoſe misfortune he was ſo bitterly deploring.

After ſo many murders, committed with a violence that neither knew check nor bounds, as if the Law had ſtill any ſway amidſt ſuch horrid diſorders, or rather, to add inſult to cruelty, Marius and Cinna cauſed Catulus and Merula to be accuſed in form. Catulus, who had been Marius's Collegue, and triumphed with him over the Cimbri, endeavoured to diſſuade him, and made his friends aſk him permiſſion to quit Rome, and to go into baniſhment. But he had to do with the moſt mercileſs of all mankind; and all the entreaties made to him drew from him only a ſingle word, which he repeated ſeveral times, "Let "him die." Catulus accordingly, ſhutting himſelf up in a little chamber, that had been new plaiſtered with lime, cauſed a great fire to be kindled in it, and ſuffocated himſelf in that manner.

Cic. Tuſc. Quæſt. v. 56.

Vell. ii. 22. Flor. iii. 21. As to Merula, he reſolved to make the god whoſe Prieſt he was witneſs of his death; and having placed himſelf at the foot of the altar of Jupiter, he opened

* M. Antonii, in his ipſis Roſtris, in quibus ille Rempublicam conſtantiſſimè Conſul defenderat,—poſitum caput illud fuit, à quo erant multorum civium capita ſervata. Cic. de Or. iii. 10.

his

his veins in ſuch a manner, that his blood flew upon the ſtatue of that god. He no doubt intended to draw down the vengeance of the gods upon his cruel enemies, who forced him to die. A ſingular circumſtance, which, though ſuperſtitious, does honour to his piety and zeal for his country, is, that as it was thought of bad omen, and capable of offending the gods, that the Prieſt of Jupiter ſhould die with the ſacred mitre upon his head; Merula had the precaution to ſet down in his table-book, found about him, that before he opened his veins, he had taken off that ſacred covering. For the reſt, the death of this prieſt of Jupiter induced almoſt the extinction of that office: for a vacancy enſued of ſeventy-ſeven years. The great Cæſar, then very young, was intended by Marius for Merula's ſucceſſor. But Sylla's victory rendered that nomination uſeleſs and of no effect. A. R. 665. Ant. C. 87. Appian.

Beſides the deaths of theſe great perſons, and ſome others, which hiſtory mentions in particular, a dreadful ſlaughter was made of a vaſt number of citizens. A word, a nod of Marius's head, coſt thoſe who came in his way their lives. At length a Senator, who was called Ancharius, having accoſted him, and received no anſwer to his compliment, was maſſacred that inſtant. And this became the rule. All who came to ſalute Marius, and had not their ſalute returned, were killed by the ſlaves that ſerved him as guards: ſo that his friends themſelves approached him not without trembling. Nor was he ſatiated with ſhedding ſo much blood. Cinna was tired with killing, and gave out: but as for him, always mercileſs, always thirſting after blood and murders, he ſpared not one of thoſe of whom he had conceived the leaſt ſuſpicion. The ſlaughter, attended with plundering of houſes, and the moſt criminal violences, continued five days and five nights in Rome, which was become a general ſcene of horror. Whilſt the heads of thoſe who were maſſacred, were expoſed, as we have ſaid, upon the Tribunal of Harangues, their bodies were thrown Plut. in Mar. Dio, apud Valeſ.

A. R. 665. Ant. C. 87. thrown into the ſtreets, and trampled under foot. For it was prohibited to give them burial.

Plut. All Italy in like manner felt Marius's fury. The highways and cities were full of guards, who followed thoſe that fled and hid themſelves, like hounds by the ſcent: and very few eſcaped. The unfortunate found neither faithful friends nor relations: and almoſt all of them were betrayed by thoſe to whoſe houſes they had fled for ſecurity.

This ought to make the fidelity of Cornutus's ſlaves the more admirable, who, after having concealed him in a ſafe place, took a dead body, which they tied up by the neck to a beam, to make it be believed that it was their maſter who had hanged himſelf, and ſhewed him in that condition, with a gold ring on his finger, to the ſoldiers who ſought him. They afterwards acted the whole ceremony of a funeral, without any body's ſuſpecting the truth: and during that time Cornutus eſcaped into Gaul.

Plut. in Sylla. Appian. in Mithrid. Metella, Sylla's wife, was alſo ſo fortunate to eſcape the cruelty of Marius with her children, who diſcharged his vengeance upon the houſes of his enemies in the city and country.

Val. Max. iv. 3. I muſt not omit here the example of moderation and humanity ſet by the whole People, which was a very ſtrong reproach of the barbarity and ferocity of the victors. For though Marius gave the houſes of thoſe he had cauſed to be killed to be plundered at diſcretion, not a ſingle citizen would contaminate himſelf with thoſe unhappy ſpoils; and all of them reſpected the houſes of the unfortunate, as if they had been ſacred and inviolable temples.

Plut. in Sert. But no one did themſelves more honour by their lenity on this deplorable conjuncture than Sertorius. Neither reſentment, nor the pride of victory, induced him to commit the leaſt violence, or to inſult the conquered. He even went farther. As his mildneſs proceeded from reaſon, and not weakneſs, it changed into a fatal ſeverity againſt the wicked inſtruments of cruelty. Enraged at the exceſſes and barbarities committed

mitted by the all-licenſed ſlaves of Marius, he concerted with Cinna, who was more tractable, and having obtained his conſent, he cauſed them to be attacked during the night in the camp, where they uſed to ſhut themſelves up, and killed them every man to the number of four thouſand. A. R. 665. Ant. C. 87.

Marius now made diſpoſitions in the affairs of government, or rather his own; depoſing the magiſtrates he ſuſpected, and annulling Sylla's laws. The year being almoſt expired, Cinna and he nominated themſelves Conſuls, without any form of aſſembly or election.

C. MARIUS VII. A. R. 666. Ant. C. 86.
L. CORNELIUS CINNA II.

The firſt day of the new year was ſignalized by horrid cruelties. The ſon of Marius killed one of the Tribunes of the People with his own hands, and ſent his head to the Conſuls; two Prætors were baniſhed; and a Senator, called Sex. Licinius, was by Marius's order thrown down the Tarpejan rock. Dio. apud Valeſ. Liv. Epit. Plut. in Mar.

Nothing but death could put a ſtop to the fury of that bloody old man. Nor was it long before it happened. The ſtate of proſperity, in which he was, did not calm the diſquiets occaſioned by the fear of Sylla's return, who was making war with great ſucceſs againſt the Generals of Mithridates. So formidable an avenger made Marius tremble, and he could not even diſſemble his fears. One day, entertaining himſelf with his friends after ſupper, having repeated all the adventures of his life, and that viciſſitude of glorious proſperities and dreadful diſgraces through which he had paſſed, he added, that it was not the part of a man of ſenſe to expoſe himſelf again, after the experience of ſuch events, to the caprices of fortune.

Theſe thoughts tormented him, and occaſioned his nights to paſs without ſleep, which fatigued him extremely. He thought of a remedy, which little agreed either with his age or dignity. This was, to

A. R. 666. Ant. C. 86. abandon himſelf to the exceſſes of the table, and to paſs his nights in drinking with his friends. By this regimen he ſoon inflamed his blood. He was taken with a fever, which preſently ſeized his head, and in his delirium he raved on nothing but the war with Mithridates. He imagined that he had the command of it, and not only ſpoke, but made geſtures, and aſſumed the attitudes of a man that fights, or of a General giving orders: ſo violent and incurable was the paſſion, and ſo deeply had it taken root in his heart, with which ambition and jealouſy uniting had inſpired him for that command. Thus, ſays Plutarch, at the age of ſeventy, the only man who had been ſeven times Conſul, and poſſeſſing riches, that might have ſufficed for ſeveral Kings, lamented as one ſuffering indigence, and died before he could put his views in execution. Wretch, that inſtead of enjoying the gifts of fortune with gratitude, ſuffered himſelf to be deprived of the preſent in being wholly engroſſed by a chimerical future. * Such is the fate, adds that philoſophical hiſtorian, of thoſe who not having early taken care to prepare their minds by ſtudy and ſound letters, as a ſolid foundation and baſis for receiving external goods, ineffectually pour both riches and honours into an inſatiable abyſs, of which they never find a bottom. Marius died the thirteenth of January.

His death did not reſtore tranquillity to the city: and it appeared even at his funeral, that the fury of his partiſans was not extinguiſhed with his life. Fimbria, one of the moſt violent miniſters of his cruelties, who had maſſacred L. Cæſar, and the ſon of P. Craſſus, ordered ſomebody to kill Q. Scævola, the Pontiff, that perſon ſo venerable for his virtue, during the very pomp of the proceſſion. Scævola receiving only a ſlight wound, Fimbria cited him before the People. And when he was aſked, what crime he could lay to the charge of a man that it was next to impoſſible to

Cic. pro. Sext. Roſc. n. 33. Val. Max. IX. 11.

* Πρὶν ἐκ λόγου καὶ παιδείας ἐῤῥωνται ὑποβάλεσθαι καὶ κρηπῖδα τοῖς ἔξωθεν ἀγαθοῖς, αὐτὰ ἀγονίας αὐτὰ καὶ συμφερῶσας, ἐμπλῆσαι τὰς ψυχὰς ἀδύνατον τὸ ἀκίρεσον.

praiſe

praiſe as he deſerved, "I ſhall accuſe him," ſaid that brutal wretch, "of not having received enough of "the dagger, with which he ſhould have been killed "in the Forum." Such were the worthy inſtruments employed by Marius to ſatiate his ambition and revenge: and in that manner did he continue by his followers the evils he had perpetrated during his life. A. R. 666. Ant. C. 86.

Almoſt all thoſe who ſpoke of Marius have obſerved, that he was * leſs fatal to his country in peace than to its enemies in war. Valerius Maximus goes farther, and judges with reaſon †, that his victories were not a ſufficient compenſation for the horrors of which he had been guilty: and that he merited admiration leſs for his great actions againſt the enemies of Rome, than the publick hatred and deteſtation for the crimes he had committed againſt his country. And indeed he had all the vices of great wicked men: he had neither fidelity, honour, nor humanity; he was ungrateful, an enemy to all virtue, jealous of all merit, and cruel as a wild beaſt. When, after all this, Marius is treated as a great man, and an hero, it is perhaps the moſt flagrant example of the weakneſs of mankind, who ſo little underſtand their intereſts, as to annex the idea of greatneſs and heroiſm to the fatal art of deſtroying their ſpecies; and who can admit, that ſuch heroiſm can ſubſiſt with the vices moſt pernicious to ſociety. Liv. Epit. lxxx. Vell. ii. 11. & 23. Val. Max. ix. 1.

His fortune ſcarce ſeems more worthy of envy, than his conduct of praiſe. He without doubt became the moſt famous of the Romans. But if inſtead of ſuffering ourſelves to be dazzled by the vain ſplendor of riches and dignities, we conſider what it coſt him to acquire and ſecure the poſſeſſion of them; what intrigues, cabals, anxieties: add to theſe, the torment of envy, fears, vexation on being often forced to give way, and laſtly, the deplorable circumſtances of his flight:

* Quantum bello optimus, tantum pace peſſimus—vir in bello hoſtibus, in otio civibus infeſtiſſimus. VELL.

† Penè tanti victoriæ ejus non fuerunt: quarum oblitus, plus criminis domi, quàm laudis militiæ meruit. VAL. MAX.

would

A. R. 666. Ant. C. 86.

would not he have been more happy, if tranquil in the obſcure ſtate he was born, cultivating the little land, either left him by his father, or acquired by his own labour, he had led a life exempt from care and dangers?

Let me be ſuffered to carry my views ſtill farther, and to add to the example of Marius, that of the Commonwealth itſelf, of which he was both the preſerver and executioner. What a dreadful ſituation was that of Rome in the midſt of all its proſperity and greatneſs? She is victorious over all her enemies, and tyranniſed over by her own citizens. She puts to flight, and cuts in pieces, foreign armies, and is drowned in her own blood. She gives laws to all nations, and cannot ſupport her own, that change every inſtant with the caprices of the Tyrants that oppreſs her. And it is even this proſperity that gives birth to all her calamities. Modeſt and happy as long as ſhe was weak and low, it is good fortune that introduces the moſt horrid of vices and calamities into her boſom. Such is the error and uncertainty of all human things! ſo ignorant are men of what conſtitutes their real happineſs! Let us conclude then, that there is no ſolid felicity either for ſtates or private perſons, but in the practice of virtue; and that virtue is much more the friend and companion of mediocrity, than of too great elevation of fortune.

END of the SIXTH VOLUME.

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